

ORDER BELOW EXH.1 IN S.C.C. NO.8810/2026

Perused complaint, documents and statement of complainant and his witnesses on oath. The accused is residing outside of the jurisdiction of this Court and hence inquiry as per Section 225 of BNSS is necessary to be conducted hence, complainant is directed to lead evidence for inquiry as per Section 225 of BNSS in present matter.

Kolhapur

Dated:-12-08-2026

(Pankaj K. Ahir)

2nd Judicial Magistrate First Class,
Kolhapur.

ORDER BELOW EXH.1 IN S.C.C. NO.8810/2026

Perused the contents of the complaint, affidavit of verification of the complainant and the documents annexed with the complaint. Heard to advocate for the complainant. From the material on record, the ingredients to constitute the offence punishable under section 138 of the Negotiable Instruments Act are *prima facie* disclosed. The complainant made *prima facie* case for the offence punishable under section 138 of the Negotiable Instruments Act. In view of the judgment of Hon'ble Supreme Court in **Sanzabij Tari Vs. Kishore S. Borcar** decided on **25/09/2025** there is no need of notice under Section 223 of BNSS. Therefore, issue process against the accused for the offence punishable under section 138 of the Negotiable Instruments Act R/o.26.10.2026

Kolhapur

Dated:-12-08-2026

(Pankaj K. Ahir)

2nd Judicial Magistrate First Class,
Kolhapur.