

MHAU070014932024

**ORDER BELOW EXH.NO.1**

Perused complaint, documents and verification of complainant on oath. Heard Ld. Advocate for the complainant.

2) The accused is residing out of the jurisdiction of this Court. I have conducted inquiry u/s 225 of BNSS. During inquiry I have gone through the documents filed along with complaint. On perusal of the complaint, it appears that the cheque bearing no. 169982, dated 15.04.2024 for Rs. 45,999/- (Rupees Forty Five Thousand Nine Hundred Ninety Nine Only), drawn on an account maintained by accused with Bank Of Maharashtra, br. Deogaon Rangari, Tq. Kannad, Dist. Aurangabad. Said cheque was issued by the accused in discharge of his legal liability. The cheque was presented by complainant for encashment in his account maintained with The Aurangabad Jilha Madhyavarti Sahakari Bank, br. Lasur Station, Tq. Gangapur. But the cheque is dishonored on 20.04.2024 for the reason "**Funds Insufficient**". Thus Demand Notice was issued on 03.05.2024 through Advocate. However, the accused did not comply with the notice within 15 days of the receipt of the notice. Hence, the complaint

is filed by present complainant on 07.06.2024. Accordingly, prima-facie offence punishable under section 138 of Negotiable Instruction Act, 1881 is made out and there are sufficient ground to proceed against the accused for issuance of process. Therefore, I pass the following order.

**ORDER**

Issue process vide section 204 of Code of Criminal Procedure against the accused for the offence punishable under section 138 of Negotiable Instruction Act, 1881, returnable on **04.04.2025**.

Date : 24/02/2025  
Place : Gangapur

( S.Y. Wakchaure )  
3<sup>rd</sup> Jt. Civil Judge (J.D.) &  
Judicial Magistrate, First Class