



S.C.C. No.700/2024
Sai Urban Nidhi Ltd. Vs. Akash

ORDER BELOW EXH. 01

Read the complaint and the affidavit of verification (Exh.2) filed by the complainant. Perused the documents filed along with the list (Exh.3). On perusal of the same, it appears that the cheque bearing No.000002dated 07-03-2024 for Rs. 32,743/- (Thirty Two Thousand Seven Hundred Fourty Three Only) drawn on an account maintained by the accused with Bank of Badoda, Branch- Paithan was issued by the accused in discharge of his legal liability. The cheque was presented for encasement by the complainant in his account maintained with Shivaji Nagari Co. Operative Bank Ltd., Branch- Paithan,Dist- Aurangabad on 13-03-2024, but same was returned unpaid on 13-03-2024, for the reason “**Funds Insufficient**”. Thus, demand notice was issued on 05.04.2024 which is within stipulated time. Said notice was deemed to be served on the accused on 08-04-2024. However, the accused did not comply with the notice within 15 days of the receipt of the notice. Hence, the complaint is filed on 24-05-2024. Accordingly, prima-facie offence punishable under section 138 of Negotiable Instruments Act, 1881 is made out and there are sufficient grounds to proceed against the accused for issuance of process. Therefore, I pass the following order:

ORDER

Issue process vide Section 204 of the Code of Criminal Procedure against the accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, returnable on 28.11.2024.

Date-19-09-2024

(S.R.Kanakdande)
Judicial Magistrate First Class.
Paithan, Dist-Aurangabad.