

CIS No. NACT-281 of 2025

M/s Bharat Hatcheries Vs. M/s Headway Enterprises

Present: Sh. Gopal Kumar, Advocate for complainant.

Today the case was fixed for preliminary evidence of complainant. Complainant, has entered into witness box and tendered his duly sworn affidavit Ex. CW1/A alongwith certain documents in preliminary evidence and closed the preliminary evidence.

Heard on the point of summoning of the accused. Vide separately recorded order of even date, accused has been summoned u/s 138 of the Negotiable Instrument Act through all modes for **12.08.2025** on filing of copy of complaint, documents along with list of witnesses, process fees, etc. Dasti summons be given, as requested.

Date of Order: 14.02.2025

Heena, Stenographer III

(Ms. Anuradha-I)

JMFC, Panipat

UID: HR-0531

CIS No. NACT-281 of 2025

M/s Bharat Hatcheries Vs. M/s Headway Enterprises

Present: Sh. Gopal Kumar, Advocate for complainant.

Order :

Brief facts of the present case are that the accused issued Cheque No. 000414 dated 25.11.2024 for Rs. 405902/-, to the complainant in discharge of liability. The said cheque(s) was/were dishonoured with remarks "Payment Stopped by Drawer". Complainant served a legal notice upon the accused but accused failed to make the payment to the complainant.

2. To substantiate the facts, complainant stepped into the witness box as CW1 and placed on record the original cheque, return memo, legal notice, postal receipt etc.
3. Heard. Perusal of the documents placed on record reveals that the complainant has presented the cheque within period of validity. Thereafter complainant issued a legal notice to the accused within period of 30 days from the date of receipt of communication about the fact of dishonour of cheque. Accused failed to make the payment to the complainant within stipulated time.
4. Keeping in view the above facts, there is sufficient prima facie ground to proceed against the accused *u/s 138 r/w section 141 of Negotiable Instruments Act*. As a necessary corollary of the above discussion accused is hereby summoned for commission of offence *u/s 138 r/w section 141 of Negotiable Instruments Act*. Summons be issued to the accused through all modes for **12.08.2025** on filing of copy of complaint, documents along with list of witnesses, process fees, etc. Dasti summons be given, as requested.

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