

SCC NO. 714/2025
Sawli Urban vs. Shaikh Juber

ORDER BELOW EXH. 1

- 1) The complainant filed this complaint against the accused under u/s. 138 of the Negotiable Instruments Act.
- 2) I perused the complaint, verification of the complainant and documents on record.
- 3) Heard Ld. Advocate Shri S.A.Sutale for the complainant.
- 4) **The Hon'ble Supreme Court in case of Sanjabij Tari Vs. Kishore S. Borcar and anr. Cri.Appeal No.1755 of 2010 decided on 25.09.2025**, it is held that, there shall be no requirement to issue summons at the pre-cognizance stage to the accused in terms of Section 223 of Bhartiya Nagrik Surakhsha Sanhita, 2023 in the complaint under Section 138 of N.I.Act.
- 5) The complainant filed this complaint under Sect.138 of the Negotiable Instruments Act. Therefore, in view of above judgments, there is no any need to hear the accused before taking cognizance.
- 6) In this complaint, the complainant made out a prima facie case against the accused. There are sufficient grounds for

proceeding against the accused for the offence punishable u/s. 138 of the Negotiable Instruments Act. Hence I pass following order:

ORDER

Issue process against the accused for the offence punishable u/s 138 of the Negotiable Instruments Act, R/o. 21/11/2025.

Date : 16/10/2025

(D.N.Chamle)
Addl. Chief Judicial Magistrate,
Majalgaon.

Dictated on : 16/10/2025
Transcribed on : 16/10/2025
checked on : 16/10/2025
Signed on : 16/10/2025
Uploaded on : 16/10/2025

I affirm that the contents of this PDF file are word to word as per original Judgment/order.

Name of Steno : Smt.P.P.Andurkar
Name of Court : Jt. Civil Judge, Senior Division, Majalgaon

Sd/-
Stenographer (Grade-II)
Majalgaon.