

CNR : MHBI17-000063-2025	<u>SCC No.21/2025</u>
	Kunal s/o. Ramesh Munde Vs. Vilas s/o. Devidas Tonde

ORDER BELOW EXH.1

1. Perused the complaint and all the documents annexed therewith. The original Cheque and Cheque Return Memo are not placed on record by the complainant.
2. The Hon'ble Supreme Court of India in its Judgment and Order dated 16.04.2021 passed in *Suo Motu* Writ Petition (CRL.) No. 2 of 2020 has been pleased to direct as under;

Inquiry shall be conducted on receipt of complaints under Section 138 of the Act to arrive at sufficient grounds to proceed against the accused, when such accused resides beyond the territorial jurisdiction of the court.

The perusal of complaint make it manifest that, the accused is residing beyond the territorial jurisdiction of this Court. Hence, in view of direction of the Hon'ble Supreme Court of India in *Suo Motu* Writ Petition (CRL.) No.2 of 2020 and the reasons discussed in para No. 1 hereinabove, I think it to be necessary that an inquiry under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is necessary. The issuance of process in

view of peculiar facts and circumstances of the present case deserves to be postponed. Accordingly, I proceed to pass the following order;

ORDER

- A.** The issuance of process is hereby postponed as per Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
- B.** This court shall conduct inquiry under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
- C.** The complainant is hereby directed to remain present on next date for recording of evidence for the purpose of inquiry under Section 225 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
- D.** The complainant is further directed to bring with him all the original documents relating to the present complaint including the original Cheque and Cheque Return Memo.

Date : 10.06.2025

Place : Wadwani

**(Rafeeqe A. Shaikh)
Judicial Magistrate First Class,
Wadwani, Dist.Beed.**

Certificate

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

Sd/-
(Amol D. Mule)
Stenographer (Grade-3)
Civil Court Junior Division
Wadwani