

Sum. Cri. C. No. 495/2017

Kamal Gokuldas Modi

- Vrs.-

Vivek Sudhakar Kakad

ORDER BELOW EXH.1.

Perused complaint, documents placed on record and the affidavit submitted by the complainant in respect of verification.

In Rajesh Bhalchandra Chalke Vs. State of Maharashtra & Anr. reported in 2011(1) Mh.L.J. 244, the Full Bench of Hon. Bombay High Court held that it is open to the Magistrate to issue process on the basis of the contents of complaint, the documents in support thereof and the affidavit submitted by the complainant in support of the complaint.

Considering the ratio laid down in above citation, it appears that there is prima facie sufficient ground for proceeding against the accused for the offence punishable under section 138 of Negotiable Instruments Act. Hence issue process under section 138 of Negotiable Instruments Act against accused on depositing P.F.

Sd/-

Dated : 07/11/2017

(A.J.Fatale)
Judicial Magistrate F.C.
Jalgaon Jamod.

प्र मा ण प त्र

मी प्रमाणित करतो की या पि.डी.एफ. आदेश फाईलमधील मजकुर हा मुळ
आदेशातील मजकुराशी शब्दांशब्द सारखा आहे.

लघुलेखकाचे नाव:- उदय य. सुरंगलिकर, निम्नश्रेणी लघुलेखक
कोर्टाचे नाव:- दिवाणी न्यायाधीश, क.स्तर व न्यायदंडाधिकारी प्रथम वर्ग,
जळगाव जामोद

दिनांक: ०७.११.२०१७