

**S.C.C.NO. 381/2023**  
**The Chikhali Urban Bank -Vs- Jawed Shaikh,**

**ORDER BELOW EXH.NO. 1**

Perused the complaint, affidavit of examination-in-chief & the documents filed on record. Heard, Ld. Advocate for the complainant. It is alleged that, accused issued the in cheque in the favour of complainant for legal liability and debt. It seems substance in complaint as prima-facie case is made out to issue process against the accused. Considering the guideline issued by Hon'ble Apex Court reported in **Indian Bank Association & ors. Vrs. Union of India & Ors., 2014** law suit (SC) 367. As such this is just and proper case accordingly. I proceed to pass the following order:-

**Order**

1. Process be issued against accused for the offence punishable U/sec. 138 of N.I Act 1881.
2. Accused is at liberty to recall the complainant for the cross-examination, if he wishes by filing application U/sec. 145(2) of the N.I. Act 1881 on his appearance.
3. Failure to recall, complaint be posted for recording the statement of accused U/sec. 313 of Code of Criminal Procedure.

Sd/-

Date :- 23.11.2023.

Shailesh U. Kanthe  
Judicial Magistrate First Class,  
Deulgaon Raja.

Rupesh Ashok Dandge,  
Stenographer.