

ORDER BELOW EXH.1 IN S.C.C. No. 670/2026
(M. D. Textiles, Prop. Hanumanchand Shivilal Bagrecha
Vs.
Rahul Enterprises, Proprietor Mr. Rahul Jagprasad Singh)

Perused the complaint, verification and the accompanying documents produced on record. Heard, the learned advocate for the complainant. The accused is resident of **Bhiwandi, Dist. Thane**. Accordingly, inquiry under Section 202 of the Code of Criminal Procedure was conducted by perusing the statement on oath of the complainant, three cheques (Cheque Nos. mentioned in the complaint) issued by accused. Upon perusal of the verification (Exh.4) of the complainant and the documents filed along with the complaint, it prima facie appears that there were hand loan transaction between them. Prima facie appears that, the said cheque was issued for repayment of the said amount.

It further appears that the said cheques were presented for encashment and was returned unrealized by concerned bank by citing the reason "**Payment Stopped by Drawer**". It further appears that the complainant sent a notice in respect of the cheque to the accused and the said notice was served on accused. Accused has received liability of issued cheque in question to complainant. It further appears that the complainant has made necessary compliance as per section 138 of the Negotiable Instruments Act, so, there are sufficient material to proceed against the accused. Hence, I pass the following order :-

ORDER

1. Issue process against the accused for the offence punishable under section 138 of the Negotiable Instruments Act.
2. Issue summons to the accused by speed post (RPAD) and Hamdast if prayed.

3. The complainant to provide the copy of the complaint and accompanying documents for service upon the accused.

Ichalkaranji
Date : 02/07/2026

(Archana M. Gaikwad)
Judicial Magistrate F. C., Court No.3,
Ichalkaranji, Dist. Kolhapur