

MHKO050054522023 	<u>Order passed below Exh.16 in SCC</u> <u>No.2330/2023.</u> <u>Ashpak Traders V/s. Ashpak Ahemad</u> <u>Mehabubsha Desai.</u>
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This is an application filed by the complainant as per Section 143(a) of the Negotiable Instrument Act to direct the accused to pay 20% amount of the disputed cheque as interim compensation. The complainant has stated that the instant application be allowed in view of provisions of the N.I. Act.

2. The accused has failed to file his say. Hence, application proceeded without say of the accused.

3. Perused the application. Heard. It reveals from record that on 28/05/2025 the plea of accused was recorded at **Exh.15**. The accused has pleaded not guilty. The intention of legislature for amendment of Section 143(a) should also have to be considered. It is also necessary to mention here that the provision also provides that in case of acquittal the accused is entitle to recover the amount of interim compensation. No prejudice will be caused if the application is allowed. So also there is absolutely no material placed on record by the accused to show that he is incapacitated to deposit 20% of cheque amount. Considering the facts of the case, I am of the opinion that the application deserves to be allowed. Accordingly, I pass following order:-

ORDER

1.	The application is allowed.
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2.	The accused is directed to pay 20% of cheque amount i.e. Rs.40,000/- (Rupees Fourty Thousand) as interim compensation to the complainant.
(Dictated and pronounced in open Court.)	

Date:02/07/2026.

(R. D. Kharate)
Judicial Magistrate First Class,
Ichalkaranji.