

ORDER BELOW EXH. 1 IN
S.C.C. NO. 395/2026

Perused the complaint, documents on record and affidavit filed in lieu of verification. Heard learned Advocate for complainant. It appears that the cheque in question was given by an accused to complainant towards legally enforceable debt or liability. Complainant deposited cheque to encash the cheque amount. It appears that the cheque in question is dishonored for the reason "Insufficient Fund". Complainant has given mandatory demand notice to accused within 15 days asking her to make payment of said amount. The said notice was served to accused on 05/02/2026 however, has not made payment of cheque amount. Thus, it appears that the cause of action has accrued in favour of complainant to file this case. This Court is having territorial jurisdiction to take cognizance of and try this case.

2. Hence, *prima facie* case is made out against accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. Hence, I pass following order-

ORDER

As per Section 223(1)(a) of the Bharatiya Nagarik Suraksha Sanhita, 2023, issue process against the accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

Place: Peth Vadgaon
Date : 15/07/2026

(J. N. Bhasme)
Judicial Magistrate First Class,
Peth-Vadgaon.