

ORDER BELOW EXH. 1

1. Perused complaint and verification of the complainant on affidavit along with documents filed on record.
2. Heard. It appears that, the accused had issued cheque. Which was deposited by the complainant in his Bank, but it was dishonored and returned back. Thereafter, the complainant had issued legal notice to the accused, which was deemed to be served to accused, in spite of that the accused failed to repay the Cheque amount to the complainant within statutory period. Hence, complainant filed this complaint under Section 138 of the Negotiable Instrument Act within limitation.
3. The documents filed by the complainant on record sufficient to satisfy the allegations made in a complaint and prima-facie prove the offence levelled against the accused though he resided outside the jurisdiction of this court. Prima-facie sufficient evidence on record to proceed against accused. Therefore, I do not find to heard accused at this stage. Hence, issue process against accused under Section 138 of the Negotiable Instrument Act. Further, complainant permitted to service notice to accused through R.P.A.D. in addition of regular process.

Date: 04.03.2025.

(R. P Thore)
Judicial Magistrate First Class,
Ajara.