

MHLA140005662026



S.C.C. No. 126/2026
Khandu Vs. Laxman

ORDER BELOW EXH.01

Perused the contents of the complaint and verification on affidavit below Exh.04. Perused the entire documents on record. Heard learned advocate for the complainant. The record shows that the cheque was issued in favour of the complainant by the accused. It was dishonored and cheque return memo was issued by the concerned bank. It is also seen that the complainant issued demand notice within stipulated period to the accused. The intimation of said notice was given by the concerned authority to the accused. Despite the same, the accused did not pay the cheque amount within 15 days from the receipt/service/intimation of said notice.

2] Under the above stated circumstances, prima-facie the complainant has made out the case under section 138 of the N. I. Act, against the accused. It is also seen that the complaint is within limitation period. As such, there is sufficient material/ground for proceeding against the accused. Hence, the following order.

ORDER

- 1] Issue Process by issuing summons for attendance of the accused for alleged offence under section 138 of the Negotiable Instrument Act vide Section 227 of the BNSS, 2023.

- 2] The accused can make an application for compounding of offences at the first or second hearing of the case, and if such an application is made, compounding would be allowed by the Court without imposing any costs. If he/she does not do so, compounding shall be done, subject to costs as per guidelines of the Hon'ble Supreme Court.
- 3] Summons be issued by R.P.A.D. and Hamdast if prayed.
- 4] The complainant Bank is directed to supply the copy of the complaint along with all the necessary documents to the accused.

Ausa.

Date: 07/07/2026.

(Smt. S. D. Sabale)
Judicial Magistrate F.C. Ausa
(Court No. 2)