

ORDER BELOW EXH.1 IN C.C. No.2002107/SC/2023

Read. Heard. Perused the complaint, copies of the documents on record.

2. It appears that the cheque has been presented with the bank within a period as mandated under Section 138 (a) of the Negotiable Instruments Act (Act). The payee/holder in due course of the cheque made demand for the payment by giving the notice within stipulated period of limitation. Whereupon, the drawer of the cheque has failed to make the payment within 15 days of receipt of the notice. The cheque in question seems to have been issued on an account maintained in the joint name of accused nos. 1 and 2.

3. Hence, prima facie case has been made out against the accused to issue process and accordingly following order is passed.

ORDER

Issue process against both accused persons under Sections 138 read with 141, 142 of the Negotiable Instruments Act on requisite compliance.



(V.B. Gulve-Patil)

Metropolitan Magistrate
20th Court, Mazgaon, Mumbai.

Date : 11.01.2024

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