

MHMM180085832022



Summary Cases/5800606/2022
KOTAK MAHINDRA BANK LTD Vs. ODICEE
CARRYING CORPORATION

IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS), 58TH COURT,
BANDRA, MUMBAI
ORDER BELOW EXH.1

Read the complaint, verification. Perused the documents filed on record. Heard advocate for the complainant. The contents of the complaint are supported by affidavit. Accused No.2 is a proprietor of accused No.1 Proprietary firm M/s.Odicee Carrying Corporation. The cheque in question is issued by accused No.2 for the debt of proprietorship firm of which he is proprietor. The accused is not resident within the limits of jurisdiction of this court. However, during inquiry u/sec.202 of Cr.PC. it reveals that cause of action has arose within the limits of jurisdiction of this court. I found substance and grounds to proceed against only accused No.1 and 2 on the basis of inquiry held and documents on record. Prima facie substance is found to proceed against accused No.1 and 2 for dishonour of cheque and failure to pay the cheque amount on demand. Hence, issue process against the accused No.1 and 2 for the offences punishable u/sec.138 r/w.sec.141 of Negotiable Instrument Act on PF.

2. The summons to accused No.1 and 2 only be sent alongwith the copy of the complaint, all documents annexed to the complaint and copy of affidavit of complainant's evidence with specific remarks as to liberty of accused to pay the amount of cheque in question on the first date of their appearance in the case as per the guidlines of Honourable Supreme Court.

3. Process R/o.10.02.2025.

Mumbai,
Dated : 10.12.2024

(M. P. Saraf)
Judicial Magistrate, (First Class),
58th Court, Bandra, Mumbai.
J.O.Code – MH01362

CERTIFICATE

I affirm that the contents of this P.D.F file Order are same, word to word as per the original Order.

Name of Stenographer : Mrs. Aditi Ravikiran Dalvi

Court : Judicial Magistrate (First Class), 58th Court,
Bandra, Mumbai.

Dictated in open court on : 10.12.2024.

Transcribed and Typed on : 10.12.2024.

Order printed and Signed on : 10.12.2024.

Order Uploaded on : 10.12.2024.