

Present: Complainant with counsel Sh. Bhupinder Singh, Advocate.

One CW is present and examined. Complainant closed preliminary evidence after tendering documents. Arguments heard on the point of summoning to accused. In order to discharge of his liability, the accused issued a Cheque No.994412 dated 04.07.2015 for an amount of Rs.1,00,000/- in favour of the complainant, with an assurance that the same would be honoured and encashed at the time of its presentation in the bank, but on presentation of the cheque in the bank, the said cheque was dishonoured on account of "Funds Insufficient" and thereafter, the complainant got issued a legal notice dated 13.07.2015 through counsel calling upon the accused to make the payment of the said cheque within the stipulated period, but inspite of that notice, accused did not make the payment of the said cheque. Hence this complaint.

In preliminary evidence, the complainant has tendered into evidence documents i.e. original cheque Ex.C1, Memo Ex.C2, Legal Notice Ex.C3, postal receipts Ex.C4 and Ex.C5 and close the preliminary evidence. I have heard the learned counsel for the complainant and have gone through the file carefully.

Keeping in view guidelines issued by the Hon'ble Supreme Court of India, it be brought to the notice of the accused that if accused compromise the matter with the complainant within first two hearings before the Court. no cost shall be imposed upon the accused and if accused compromise the matter with the complainant after two hearings, the cost of 10% of the cheque amount shall be imposed upon the accused.

Keeping in view the documents/preliminary evidence brought on record by the complainant, accused is ordered to be summoned U/s 138 of N.I.Act for 05.01.2016 on filing of PF, copy of complaint and list of witnesses.

Dated:-09.10.2015

(Manpreet Kaur)
SDJM/Sultanpur Lodhi.