

Nact-163-15

P.N.B Vs. Gurdip Singh

Present: Branch Manager of complainant bank with counsel
Sh.Ravinder Kumar,Adv.

Heard on the point of summoning. Briefly stated, the facts of present complaint are that accused against his existing liability, had issued one cheque bearing No.663752 of dated 20.01.2015 for a sum of Rs.30,000/-, with the assurance that the same would be honoured on presentation in the bank. The complainant presented the said cheque for encashment, but the same was returned dishonoured with the memo dated 20.01.2015 bearing remarks "Funds insufficient". Thereafter, legal notice dated 31.01.2015 was sent to the accused through registered post, calling upon the accused to make the payment of said cheque within stipulated period from the receipt of notice, but the accused has failed to make the payment of the cheque. In preliminary evidence, complainant tendered into evidence his affidavit Ex.CW1/A and also proved on record the several documents Ex.C1 to Ex.C5, and closed the preliminary evidence.

From the preliminary evidence led on record, there are sufficient grounds to proceed against accused Gurdip Singh for his having committed an offence punishable under section 138 of the Negotiable Instruments Act. Therefore, accused Gurdip Singh is ordered to be summoned to face trial for offence under section 138 of the Negotiable Instruments Act on filing of list of witnesses, requisite process fee, through ordinary process on filing copies of complaint, for 13.10.2015.

Pronounced in open court:

(Rupinder Singh)
Sub Divisional Judicial Magistrate,
Phagwara/13.08.2015.