

The Bholath Primary Co-operative Agri Devlp vs Bagicha Singh Nact 811-18
CNR No.PBKP03-000811-2018

Present:- Complainant with counsel Sh. Satpal Wadhawan,adv.

1 Complaint presented today. It be registered. CW1 Amrit Pal Singh Authorized Signatory is present and examined. Statement of complainant recorded. Complainant has closed his preliminary evidence.

2 Heard. The complainant has filed the present complaint on the averments that the accused in order to discharge his legal liability issued cheque in dispute in favour of complainant. Accordingly, the complainant presented the said cheque in the bank for encashment which was returned by the banker of the accused vide memo with the remarks "Insufficient Fund". Thereafter, the complainant got issued a legal notice asking the accused to make the payment within a period of 15 days from the receipt of notice but the accused has not returned the amount. Hence the complainant has been constrained to file the present complaint.

3 In preliminary evidence, complainant himself stepped into the witness box as CW-1 and tendered his affidavit Ex. CA along-with documents Ex. C1 to Ex. C6.

4 From the perusal of oral and documentary evidence adduced on the file in preliminary evidence by the complainant a prima-facie case under section 138 of the Negotiable instrument act is made out against the accused. Accordingly, the accused Bagicha Singh is ordered to be summoned to face trial for having committed an offence U/s 138 of NI Act on filing of PF and copies of complaint within seven days for 15.03.2018.

Dated: 26.02.2018
Deepak
Next Date: 15.03.2018

(Rinky Behal)
JMIC/kpt
UID: PB0541

Purpose: