

Order below exhibit - 1

Perused the complaint with documents, this complaint filed under section- 138 of Negotiable Instrument Act-1881. As per direction of Hon'ble Supreme court of India in Writ Petition (Civil) No. 18/2013, Indina Bank Association judgment Metropolitan Magistrate/Judicial Magistrate. (MM/ JM), on the day when the complain under Section 138 of the Act is presented, shall scrutinize the complaint and , if the complaint is accompanied by the ffidavit, and the affidavit and the documents, if any, are found to be in order, take cognizance and direct issuance of summons. Hence this court has jurisdiction to took cognizance of this complaint u/s. 142(2) (a) of the N.I.Act.

Perused the entire record of the present complaint. Considering the facts of the Present complaint, examination in chief of the complainant u/s. 145 of N. I. Act and documentaru evidence produced on record, prima facie case appears against the accused No. KANTIJI GEMAJI THAKOR for an offence u/s. 138 read with Sec. 141 of N.I.Act. It is therefore complaint is hereby order to be registered and order to issue Sommons against the accused No. 1 u/s. 204 of Cr.p.c. for and offence: u/s. 138 read with 141 of N.I.Act returnable on dt. 22/08/2023.

Moreover, in view of guideline issued by The Hon'ble Supreme Court of India in Indian Bank Association & Others v/s. Union of India (write petition (civil) No. 18/2013. Accused No. 1 is/ are hereby order to furnish a surety amount Rs. 5000/- U/s. 88 of Cr.p.c. before this court for purpose of securing his/their presence during the trial of the present complaint.

Date : 15/07/2023

Ahmedabad.

Add. Chief Metropolitan Magistrate,
N. I. Act. Court No. 30