



Complainant moved application as per Section 143(A) of Negotiable Instruments Act. By way of this application complainant submitted that, there is amendment to Section 143 of Negotiable Instrument Act and upon the amended Section accused is required to pay 20% amount as a interim compensation. Therefore, application may kindly be allowed.

2. Accused filed his say and objected the application.
3. Heard both sides.
4. On perusal of record, it appeared that, present complaint is filed u/s 138 of N.I. Act. Plea of accused is recorded below Exh.17. It reveals that date of disputed cheque is 20.06.2023. There is prima-facie record that accused has issued a cheque of Rs.18,70,000/- in favour of complainant. To grant interim compensation is not a final order and the order is subject to the final decision of Court. The interim compensation amount would be liable to return back to the accused if offence is not proved and it is recovered as fine. It appears that, the disputed cheque amount is huge in nature. Case will take its own time for decision. The offence is economy offence hence the necessity of the money to the complainant has to be taken into consideration. As there is prima facie case in favour of the complainant, he is entitled for interim compensation amount. However, the complainant has not specifically mentioned the necessity of interim compensation. In such situation, it would be difficult to ascertain the percentage for granting interim compensation amount. Though the complainant not specified any reason for amount, the discretion provided under this provision has to be exercised as reasonable because there is ceiling on maximum limit of

interim compensation amount. This is a fit case to grant interim compensation in favour of complainant. Accordingly, while granting interim compensation, the cheque amount needs to be considered. As per the case and circumstances in my view 15% compensation of cheque amount would be just and proper. With this I pass the following order;

O R D E R

1. Application is partly allowed.
2. The accused is directed to pay interim compensation amount up to 15% of the cheque amount to the complainant.
3. The accused is further directed to deposit the compensation amount in Court or to pay byhand to the complainant within 60 days from the date of order.
4. If the accused is acquitted of the offence punishable under Section 138 of the N.I. Act, the complainant would be liable to repay 15% cheque amount to the accused with interest.
5. If accused is convicted for the offence punishable under Section 138 of the N.I. Act, 15% percent amount of cheque will be deducted from the compensation amount.

Date : 07.08.2026

(Smt. A. B. Jondhale)
Judicial Magistrate, First Class
(Court No.1) Bhoom

C E R T I F I C A T E

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

Name of Stenographer	:-	Shri. S. S. Hingmire, (Grade-III)
Court	:-	Jt. C.J.J.D. & J.M.F.C. Bhoom
Date	:-	07.08.2026
Order signed by the Presiding officer on	:-	07.08.2026
Order uploaded on	:-	07.08.2026