

Ms Dashmesh Seed Store Vs. Gurdeep Singh-Nact-124-2020

Present: Ms. Preeti Sharma, Adv. counsel for complainant firm.

Complaint presented today. It be registered. CW1 examined. Complainant also closed his preliminary evidence.

Arguments heard. Record perused. In order to discharge a legally enforceable liability, the accused issued two cheques dated 31.01.2020 for an amount of Rs. 14,400/- **Ex.C1** and dated 31.01.2020 for an amount of Rs. 10,800/- **Ex.C2** in favour of the complainant, which on presentation with the drawee bank was dishonored vide memos dated 05.02.2020 **Ex.C3** and **Ex.C4** with remarks “**Funds insufficient**”. Thereupon, the complainant served a legal notice is **Ex.C5** upon the accused through registered post, as is evident from postal receipts **Ex.C6**, acknowledgment **Ex.C7**, invoice return **Ex.C8** and **Ex.C9**, copy of license **Ex.C10**. But the accused failed to make payment of amount of the cheque within the period prescribed under law, necessitating the complainant to file the present complaint. These above said documents were proved by CW1 Harsimran Singh, his affidavit **Ex.CW1/A**.

From this preliminary evidence led by the complainant, it appears that the accused has committed an offence punishable U/s 138 of the Negotiable Instrument Act 1881 and there are sufficient ground to proceed further against the accused for having committed this offence. Let the accused be summoned accordingly for 27.04.2020 on filing copy of complaint, list of witnesses, PF etc within a week. Accused be also summoned through RC/AD and postal receipts be attached with the file within week.

Date of order: 09.03.2020

#Rajani#

(Navdeep Kaur Gill)

JMIC/SBS Nagar.

UID:PB0297