

**ORDER BELOW EXHIBIT NO.1**

This is an complaint filed U/s.138 of N.I. Act for dishonour of cheque dt. 18.08.2023 issued by accused. Upon examination of documents produced on record and on verification statement of complainant. I found that, the cheque was deposited for encashment on 17.10.2023 which was dishonoured due to Alterations on Instrument other than date field Alteration correction are prohibited under CTS. Bank issued memo dated 19.10.2023 Thereafter, complainant issued notice dated 09.11.2023 demanding money standing towards the cheque. That notice was served to accused on 10.11.2023. However, he failed to make the payment within 15 days from the receipt of notice. Therefore, cause of action arose on 25.11.2023. The complaint ought to have filed within 1 month from 25.11.2023. The present complaint is filed on 26.12.2023 within prescribed period of limitation. Thus, the complainant has made out prima facie case and there are sufficient grounds to proceed u/s.138 of the Negotiable Instrument Act, against accused. Hence, process be issued against accused for the offence punishable under section 138 of the Negotiable Instrument Act, 1881.

Khalapur.
Date : 28/03/2024.

(R.D.Wabale)
Judicial Magistrate, First Class,
Khalapur.