

ORDER BELOW EXH.01

The present complaint is filed by the complainant against the accused on 01.04.2019 for offence punishable under section 138 of the Negotiable Instrument Act 1881. However still the presence of accused could not be secured. As per service report at Exh.19, it appears that summons was not served due to insufficient address of the accused, thereafter the matter was kept for compliance i.e. for providing detail address of the accused by the complainant. But the complainant has remained absent since 06.01.2022, he has not taken any steps to proceed with the case. The matter is already categorized as a 5 years old matter. Considering conduct of the complainant, it seems that the complainant is reluctant to proceed with case. Hence no purpose would serve by keeping alive this summary case on balance sheet of the court. Hence following order.

ORDER

1. The complaint is dismissed in default of the complainant u/s section 256 of the Code of Criminal Procedure 1973.
2. The accused is acquitted of an offence punishable under 138 of Negotiable Instrument Act 1881 vide section 256 of the Code of Criminal Procedure 1973.
3. Case is disposed of accordingly.

Place:- Roha
Date :- 09.03.2026

(S. V. Khaire)
Judicial Magistrate, First Class, Roha