

**ORDER BELOW EXH.01**

The present complaint is filed by the complainant against the accused on 15.02.2023 for offence punishable under section 138 of the Negotiable Instrument Act 1881. However the complainant has remained absent since 21.04.2025. Service report at Exh.07 shows that the accused does not reside at given address, however, thereafter the complainant has not taken any effective steps to secure presence of the accused. 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 :- 12.03.2026

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