

Rajdeep Singh versus Baljinder Kaur

Present: Complainant with counsel Sh. Manjit Singh Advocate,

Complaint presented today. It be registered. Complainant tendered his preliminary evidence through affidavit and close the same.

Heard on point of summoning. The complainant while appearing as Ex. CW1/A has proved on record various documents Ex. C1 to C4 and closed the same. Accused has failed to make the payment of the cheque amount despite the issuance of the notice with in the statutory period. Present complaint has been filed with one month of the prescribed period of limitation. Thus, from perusal of these documents on record it is clear that there is a sufficient ground to proceed against the accused regarding his liability for proceeding against him under section 138 of “Negotiable Instruments Acts”. The detailed expression of opinion is avoided as it is no longer necessary in view of the observation of the Hon’ble Supreme Court of India in “ **U.P. Pollution Board Versus Mohan Meekan**” 2000(2) RCR 421 and reiterated recently in **Deputy Chief Controller of import and export versus Roshan Lal Aggarwal**, 2003(2) RCR (Crl) 110, Supreme Court. As such the accused is order to be summoned for 10.12.2021 on filing of PF, RC speed post and copy of complaint within a week. Dasti summons be issued, if is requested. In the alternative summons be also issued for the date fixed from the court.

Date of order: 09.11.2021
Steno Amandeep Kaur

(Navreet Kaur)
CJ(JD)/JMIC/Garhshankar.
UID No. PB 0436