

ORDER REGARDING ISSUE OF PROCESS

The Complainant herein has filed the complaint under Section 223 of BNSS for the offence punishable under Section 138 of N.I.Act. This court took cognizance on the said offence and registered the same in P.C. Register as PCR No.381/2026. Thereafter complainant appeared and his sworn statement cum examination in chief was recorded and the complainant was examined as P.W.1 and 6 documents came to be marked as Ex.P.1. to Ex.P.6.

2. Heard by learned counsel for the complainant.

3. Perused the averments made in complaint as well as in the sworn statement cum examination in chief of the complainant and perused the documents available on record. Careful perusal of the complaint reveals that the complainant has made out *prima facie* case and all the necessary ingredients to constitute an offence U/Sec.138 of N.I.Act are also pleaded. In view of the said facts and circumstances as forthcoming from the complaint as well as the sworn statement cum examination in chief of the complainant and perused the documents available on record, at this juncture, this Court holds that there are sufficient grounds to proceed against the accused for the offence punishable under Section 138 of N.I.Act. Hence the following order.

ORDER

The office is hereby directed to register the case in Register No.III as C.C. against the accused for the offence punishable under Section 138 read with section 142 of N.I. Act, 1881.

*In exercise of powers vested in this court u/s.
223 of BNSS., accused is summoned to appear
before the court.*

*Issue summons to the accused through court
and Speed Post, for the offense punishable u/sec
138 r/w 142 of NI Act if required PF is paid
along with duly stamped postal covers and if
copies are furnished.*

Returnable by 23.09.2026

(LATHA.K)
III ASCJ & JMFC, DAVANAGERE