

Order below Exh. 01 in S.C.C. No.96/2022
(CNR No.MHRT080001892022)

This is a proceeding concerning an offence punishable under section 138 of Negotiable Instruments Act, 1881. The complainant has produced six documents as per list of documents at Exh. 04 and three documents as per list at documents at Exh. 23. The complainant has filed the evidence affidavit at Exh. 25. The documents produced on record and formal proof as to the contents thereof are stated in the affidavit at Exh. 25.

02. I have heard learned advocates for both sides on the point of exhibiting documents. Learned advocate for the complainant submits that, as the particulars of documents are stated on oath by affidavit at Exh. 25, these documents may be exhibited. Learned advocate for the accused has submitted that, appropriate order may be passed.

03. In view of the fact that, particulars and formal contents of proof of documents are referred in the affidavit (Exh. 25), aforesaid documents can be marked exhibit and admitted in evidence. Thus, the cheque at Sr. No. 1 of list at Exh. 04 is marked as **Exh. 29**. The cheque return memo at Sr. No. 2 of list at Exh. 04 is marked as **Exh. 30**. The copy of demand notice at Sr. No. 03 of list at Exh. 04 is marked as **Exh. 31**. The postal receipt Sr. No. 4 of list at Exh. 04 is marked as **Exh. 32**. The postal acknowledgment at Sr. No. 05 of list at Exh. 04 is marked as **Exh. 33**. The copy of resolution at Sr. No. 06 in the list at Exh. 04 is mark as **Exh. 34**.

04. Further, the loan application, surety bond and

promissory note, produced on record as per Sr. No. 01 to 03 in list at Exh. 23 are marked, respectively, as **Exh. 35 to 37**.

Sd/-

(B. D. Tare)

Judicial Magistrate F. C.
Deorukh.

Dated : 26/10/2023

CERTIFICATE

order in SCC no. 96-2022

I affirm that the contents of this PD.F file are same, word to word, as per the original order/judgment/evidence.

Name of the Stenographer : S. A. Bhale

Court name : Civil Judge, J. D. and J.M.F.C., Deorukh.

Date : 26/10/2023

Order signed by the presiding officer on : 26/10/2023

Order uploaded on : 26/10/2023