

NACT 18-2020
Shiv Kumar vs Divya.

Present: Complainant with counsel Sh. Mohiderpal Arora, Adv.

Today, CW-1 is present and examined and complainant has closed his preliminary evidence. Arguments heard. I have gone through the documents placed on file specially cheque amount of ₹ 1,30,000/- bearing Cheque no. 068283 dated 13.12.2019 and cheque amount of Rs. 1,00,000/- cheque no. 068284 dated 13.12.2019 which appears to have been issued by the accused in favour of the complainant to discharge his liability towards the complainant. The cheque is Ex. C1 and Ex.C3. The complainant presented the said cheque in the bank for encashment but the same was returned unpaid vide memo dated 06.02.2020 Ex. C2 and dated 22.01.2020 Ex.C4, account statement Ex.C5, ledger inquiry Ex.C6 with the remarks Fund Insufficient. Thereafter, the complainant served a legal notice dated 13.02.2020 through his counsel calling upon the accused to make the payment of the cheque in question within a period of 15 days and produced on the record the copy of legal notice as Ex. C7, postal Receipt Ex. C8, but inspite of legal notice the accused neither made the payment of the cheque in question nor gave the reply to the said notice. Thus, the accused has made himself liable for prosecution U/s 138 of Negotiable Instrument Act. Let accused be summoned to face trial u/s 138 of N.I.Act for 14.01.2022 on furnishing of PF/RC/AD. List of witnesses and copies of complaint be filed within 5 days.

Date of order 13.10.2021
(Sumit) Stenographer-II

(Gurpreet Kaur)
ACJSD-cum-SDJM
Khadur Sahib/UID-PB0323