

MHSN030025522024

ORDER BELOW EXH. 1 IN S.C.C. 1505/2024

Idial Agri Search

Vs

Om Sai Krushi Kendra, Saoli Proprietor -Vivek Santoshwar

Read the complaint and the documents filed therewith.

2. Heard learned advocate for the complainant.

3. It prima facie appears that, the accused had issued the cheque bearing no. **015666** dated **20/05/2024** on an account maintained with the **IDBI Bank Br. Saoli, Chandrapur** for discharge of debt or liability of **Rs. 1,41,500/-** in favour of complainant. As per the complaint, the complainant had presented said cheque for clearance in the **ICICI Bank, Br. Kupwad**. However, on **28.05.2024** the said cheque was dishonoured for the reason **“Funds insufficient”**. Thereafter, on **26.06.2024** the complainant had issued the notice to the accused demanding payment of the said amount. **However, the accused refused to accept the said notice and accordingly notice was returned to the complainant on 01/07/2024. However, accused failed to make the payment of said cheque amount.** Thus, from perusal of complaint and documents thereon it appears that, the complainant has made out prima facie case for issuance of process against the accused person for the offence punishable under section 138 of the Negotiable Instrument Act. Moreover, the complaint is within the limitation. In view of above discussion, I proceed to pass following order ;

ORDER

Issue process against the accused **Shri Om Sai Krushi Kendra, Saoli Proprietor Vivek Bhaurao Santoshwar** for the offence punishable under section 138 of the Negotiable Instrument Act, 1881, returnable on **16.12.2024**.

Place : Sangli.
Date : 15/11/2024

(Rohini S. Patil)
4th Judicial Magistrate First Class,
Sangli.