



(CNR No.MHSN030037462023)

Order Below Exh.01 in S.C.C. No. 2394/2023

(Ramchandra Traders Sangli, Through Prop. Rohan Ramchandra
Shewale

versus

Auctus Manufacturing Pvt Ltd through Damayanti Vaibhav Kumbhar)

1. 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.005085 dated 25.07.2023 for discharge of debt or liability of Rs.13,64,714/- in favour of complainant. As per the complaint, on 25.07.2023 the complainant had presented said cheque for clearance. However, on 25.07.2023 the said cheque was dishonoured for the reason '**Funds Insufficient**'. Thereafter, on 17.08.2023 the complainant had issued the notice to the accused demanding payment of the said amount. On 24.08.2023 notice is returned as unclaimed to the complainant. However, accused failed to make the payment of said cheque amount. Thus, from perusal of complaint it appears that, the complainant has made out *prima facie* case for issuance of process against the accused persons for the offence punishable under section 138 of the Negotiable Instrument Act. Moreover, the complaint is within the limitation. In view of above discussion, following order is passed :

ORDER

Issue process against the accused **Damayanti Vaibhav Kumbhar** for the offence punishable under section 138 of the Negotiable Instrument Act, 1881.

(J. S. Makandar)

Place : Sangli.

Judicial Magistrate First Class, Court 04,

Date : 19.07.2025.

Sangli.