

ISSUE PROCESS ORDER

ORDER BELOW EXH.1 IN S.C.C NO.364/2023

Perused the complaint, verification statement on affidavit and documents filed along with the complaint.

2. Prima facie it appears that, the accused has issued cheque bearing No.875976 dated 5/06/2022 in favour of the complainant in discharge of his legal debt. The Complainant presented cheque for encashment in his bank, but said cheque has been returned along with return memo dated 9/06/2023 for reason “ Funds insufficient”. Thereafter, the complainant has sent demand notice to the accused on 23/06/2023. The accused failed to pay cheque amount despite service of demand notice. Prima facie it appears that the presentation of cheque, issuance of demand notice and filing of complaint are within limitation. The complaint is duly filed by authorized person.

3. Prima facie it appears that the accused has committed an offence punishable u/s 138 of the Negotiable Instrument Act, 1882. Hence process be issued against accused for the offence punishable under section 138 of Negotiable Instrument Act, 1882.

4. Issue summons to the accused.

Date:11.09.2023.

Place-Kavathe-Mahankal.

(Arun R. Vyawahare)
Judicial Magistrate F.C.
Kavathe-Mahankal