

S.C.C.No.219/2024.

**ORDER BELOW EXH.6.**

Before me.

Tasgaon.  
Date: 22.04.2024

[ D. A. Darveshi ]  
Judicial Magistrate F.C.,Tasgaon.

**ORDER BELOW EXH.1.**

Perused complaint, verification and documents filed. Heard Advocate for complainant. It appears that, limitation to file present complaint is upto 3 March, 2024. However, filing date is 13.03.2024. In it's regard, the learned advocate for the complainant submitted that present complaint has been filed on 27.02.2024. However, it has been registered on 13.03.2024 by the concerned clerk. Therefore, it is well within limitation. Here I would like to rely upon the ratio laid down by Hon'ble Bombay High Court in *Rajesh Chandrakant Shingade Vs. State of Maharashtra, W.P.No.1273/2024 and Nita Ramesh Thakore & Anr. Vs. State of Maharashtra W.P.No.1360/2024* wherein the Hon'ble Bombay High Court has held, the date of e-filing of case shall consider for computation of limitation period. Thus, once the complaint has been filed on 27.02.2024 it is well within limitation. Therefore, it is seen that, the complainant has made out prima-facie case against the accused, sufficient to issue process against him for the offence punishable under section 138 of Negotiable Instrument Act. Hence, the order.

**ORDER**

Issue process in the form of summons against accused for the offence punishable under section 138 of Negotiable Instrument Act, vide Section 204 of Code of Criminal Procedure.

Tasgaon.  
Date: 22.04.2024

[ D. A. Darveshi ]  
Judicial Magistrate F.C.,Tasgaon.