

MHSN090007732023



Summary Criminal Case No.362/2023.

ORDER (Below Exh.15)

(01) This is an application submitted by complainant under section 143(a) of Negotiable Instrument Act for directing accused to deposit 20% amount of dishonoured cheque.

(02) Accused submitted his say and denied the contents. He submitted that complainant has filed false complaint and he never gave a cheque to the complainant. Plea of accused is not recorded. Hence application is not tenable. Accused has present in the court to each date. He is ready for hearing of the case. Prima-facie complainant is not prove the case. Hence he prayed for rejection of application.

(03) Perused the written argument filed by the accused at Exh.16.

(04) Heard for complainant. Section 143A (I) came to be inserted by way of amendment in the Negotiable Instrument Act in the year 2018. It provides interim compensation upto 20% of the amount of the cheque. In the present case complainant has produced cheque dated 24.04.2023 which is of Rs.03,00,000/-. Further after perusal of complaint it also appears that complainant has given hand loan to the accused.

(05) Considering that the complainant is requires the amount and amendment in the Act, it is justifiable to direct accused to deposit 20% amount as an interim compensation. Therefore application deserves to be allowed. In the result, I proceed to pass following order.

ORDER.

1. Application is allowed.
2. Accused is hereby directed to deposit 20% of the cheque amount as an interim compensation within 60 days.

Tasgaon.
Date : 14.08.2024

(Dr.R.S.Kulkarni)
Judicial Magistrate First Class,
Tasgaon.

I affirm that, the contents of this P.D.F. file are same, word to word, as per the original order.

Name of the Stenographer : Abhay Arvind Randive

Court : Judicial Magistrate First Class,
Tasgaon, Dist. Sangli.

Date : 14th August 2024.

Order signed by the
Presiding Officer on. : 14th August 2024.

Order uploaded on. : 15th August 2024.