

S.C.C. No. 316/2024

ORDER BELOW EXH. 1 IN S.C.C.NO.316/2024

(Shivpratap Nag. Co. Ope. Cre. Soc. Ltd Vita Vs. Dikshita Bharat Barge)

Perused the complaint, verification of complainant and the documents on record. Perusal of complaint reveals that accused is **resident of Sangli Tal.- Miraj, Dist.-Sangli** i.e. the place outside the territorial jurisdiction of this Court. Hence, in view of the circular of the Hon'ble High Court of Bombay bearing No.Rule/P.1605/2022 dated 27.01.2022, the inquiry under Section 202 of the Criminal Procedure Code is mandated to be conducted to arrive at sufficient grounds to proceed against the accused. Hence, I pass the following order:

ORDER

1. Issuance of process against the accused is hereby postponed vide Section 202 of Cr.P.C.
2. The complainant to take note of the order and to adduce evidence, if any for the purpose of inquiry.

Sd/-

Vita.
Date: 06/07/2024.

(M.Sharique A.U.Rahman)
Judicial Magistrate First class,
Vita, Dist. Sangli.

ORDER BELOW EXH. 1

Read the complaint and verification. Perused documents filed along with complaint. Heard Learned advocate for complainant. Prima facie it is seen that after issuance of cheque, the same is deposited in valid period and notice also issued within limitation. Notice is also served on accused. However, he failed to repay the cheque amount. Prima facie offence p/u/s. 138 of Negotiable Instruments Act is made out against accused, hence issue process against accused for the offence p/u/s. 138 of Negotiable Instruments Act. Issue summons to accused.

Vita.
Date : 06/07/2024

Sd/-
(M.Sharique A.U. Rahman)
Judicial Magistrate F.C.
Vita, Dist.Sangli.