

Suresh Yadav Vs. Rahul Shinde

ORDER BELOW EXH.1

Perused the complaint and evidence affidavit in lieu of verification of the complainant filed by him. Heard learned advocate for the complainant.

2. I have perused the documents filed on record also gone through the complaint and evidence affidavit complainant filed him. After considering the documents and affidavit on record, it seems that, the accused issued cheque to the complainant for discharge of legal debt. The cheque was duly presented in the bank which is situated within the jurisdiction of this Court within limitation, but it was dishonoured. The complainant issued mandatory demand notice to accused within the prescribed time in spite of receiving notice the accused failed to comply it. Thus, there are prima facie grounds to proceed further against the accused for the offence punishable under Section 138 read with 142 of the Negotiable Instruments Act, 1881.

3. Hence, there are sufficient ground to proceed against accused. Hence, I proceed to pass following order:

ORDER

Issue process against the accused as per Section 204(1)(a) of the Code of Criminal Procedure, 1973 for the offence punishable under Sec.138 r.w.142 of the Negotiable Instruments Act.

Place : Malshiras
Date : 17/10/2023.

(M. R. Dhanorkar)
Addl.Chief Judicial Magistrate,
Malshiras.

CERTIFICATE

I affirm that the contents of this PDF file Judgment is same word to word as per the original Judgment.

- (a) Name of the Stenographer : S.M.Algundgi, Grade-II
- (b) Court : Civil Court Sr. Divn.,
Malshiras.
- (c) Judgment signed by P.O.on: 17.10.2023.
- (d) Judgment uploaded on : 18.10.2023.