



CNR No. : MHWR0300069462025

S.C.C. No. 5135/2025

Vishwanath V/s. Bhavikkumar

ORDER BELOW E-FILED APPLICATION DATED 08/04/2026

This is an e-filed proceeding under the provisions of Section 138 of the Negotiable Instruments Act.

2. Applicant-complainant through present application is seeking issuance of warrant against accused.

3. Ld. Advocate for applicant-complainant submitted that, the demand notice was issued by complainant on the address of accused through R.P.A.D., but he refused to receive the same. Further, the notice issued by this Court is also refused by accused and thus, it shows that he is trying to delay the matter. The same is last known address of accused, but he is evading service. Therefore, warrant needs to be issued against him. Hence, prayed for the relief sought.

4. Perusal of record shows that, process was issued against accused *vide* order dated 25/02/2026 below main complaint (Exh. 01). Further, notice was also issued to accused through R.P.A.D. *vide* order below application dated 07/03/2026. However, the same returned unserved with remarks as '*Left*'. Further, record also shows that, statutory demand notice issued by complainant to accused on the same address, also returned unserved with remarks as '*Left*'.

5. As per complainant, the same is last known address of accused and the accused is deliberately trying avoid service of notice. His Power of Attorney Holder has also e-filed sworn affidavit dated 20/04/2026 in support of the same.

6. Therefore, contentions of complainant, supported by affidavit, *prima facie* show that accused is trying to evade service of notice. Hence, warrant needs to be issued against him as prayed. Accordingly, I proceed to pass following order :

1. E-filed application dated 08/04/2026 is hereby allowed.
2. Issue Non-bailable Warrant against accused.

Place : Wardha.

Dated : 20/04/2026

(Vickrant P. Khandare)

Judicial Magistrate First Class, Wardha.

(Court No. 1)