



CNR No. MHWR030085242024

S.C.C. No. 50/2025

Jai Mahakali Nagari Vs. Yogendra

ORDER BELOW EXH. 06

Complainant i.e. CW1 Saurabh filed his affidavit in lieu of examination in-Chief and deposed its contents to be true & correct. He has filed documents on record alongwith list at Exhs. 04 & 27.

2. Ld. Advocate for complainant prayed for exhibiting said documents. Ld. Advocate for accused gave no objection for the same. Perused the documents filed with list at Exhs. 04 & 27. Heard both sides.

3. Document at Sr. Nos. 1 in the list at Exh. 04 is the disputed cheque and hence, the same can be exhibited. Further, document at Sr. No. 2 in the said list is the cheque return memo and it bear the seal of the concerned bank. Hence, in light of Section 146 of the Negotiable Instruments Act, it can be exhibited. Document at Sr. No. 3 in the said list is the copy of demand notice issued to accused and hence, it also can be exhibited.

4. Further, documents at Sr. Nos. 4 & 5 in the list at Exh. 04 are the postal receipt & its acknowledgment with envelope. The same being public documents, can be exhibited. Document at Sr. No. 6 in the said list is a copy of Authority Letter. However, present witness is neither author nor signatory to the said document. Hence, the said needs to be proved by appropriate witness and thus, cannot be exhibited at this stage.

5. Document at Sr. Nos. 1 to 9 in the list at Exh. 27 are the original loan application form, approval resolution, agreement, promisory note & other relevant documents. The witness deposed that said documents are executed by accused while availing the loan from complainant bank and its contents are true & correct. Hence, for want of any objection by accused, said documents can also be exhibited.

6. Accordingly, in view of the reasons mentioned above, I proceed to pass the following order :

ORDER

1. The documents are marked as exhibits as follows :

List at Exh.	Sr. Nos.	Document	Exh. No.
04	01	Disputed Cheque	28.
04	02	Cheque Return Memo	29.
04	03	Copy of Demand Notice	30.
04	04 & 05	Postal Receipt & its Acknowledgment with envelope	31 & 32 respectively.
27	01 to 09	Original Loan Application Form, Loan Approval Resolution, Loan Agreement, Promisory Note & other documents	33 to 41 respectively.

2. Both parties to take note of this order.

Date : 13/01/2026
Wardha

(Vickrant P. Khandare)
Judicial Magistrate First Class, Wardha.
(Court No. 1)