

ORDER BELOW EXHIBIT-1 IN SCC NO.657/2023

1. Perused the complaint, verification and documents placed on record.
2. Heard Mr.B.S.Sathe, Ld. Advocate for complainant. Averments in the complaint *prima-facie* constitute offence punishable U/S.138 of the Negotiable Instruments Act, 1881. The complainant is verified. He deposed that, the documents filed on record are *prima-facie* sufficient material to issue process against accused.
3. On perusal of documents it appears that, verification and examination of documents are sufficient ground to proceed as per Sec.204 of Cr.P.C.
4. After verifying original cheque, memo of cheque returned and demand notice, acknowledgment there is sufficient material to issue process against accused. The date of the cheque is 08.05.2023. Cheque is dishonored on 12.05.2023 and the concerned bank has issued return memo on 12.05.2023. The complainant issued notice to the accused on 17.05.2023. The accused filed reply to the notice on 06.06.2023. The complaint is presented on 10.07.2023. The perusal of aforesaid documents shows that the complaint is within the period of limitation. The accused resides within the jurisdiction of this Court. The material on record is sufficient to issue process against the accused. Hence, I proceed to pass the following order :-

ORDER

1. Issue process against the accused vide Section 204 of the Code of Criminal Procedure, 1973 for the offence punishable under Section 138 of N.I.Act, returnable on **22.11.2023**.

Place : Malegaon
Date : 05.10.2023

[Pravin U.Kulkarni]
J.M.F.C. (Court No.2) Malegaon
Dist. Washim.

CERTIFICATE

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

Name of the Stenographer : **Shivam B. Patange (L.G.)**
Court & Judge Name : PU.Kulkarni,
Jt.C.J.J.D & J.M.F.C, Malegaon.
Date of Order : 05.10.2023
Order signed by the
Presiding Officer on : 05.10.2023
Order uploaded on : 05.10.2023