

::Order Below Withdrawal Pursis::
Read – Sec. 280 of BNSS / Sec. 257 of CRPC.

- Scrutinized the record of the matter and heard the party/parties present before the Court.
- The complainant side of the matter has instituted the present complaint U/Sec. 138 of The Negotiable Instruments Act, 1881, against the said accused side of the matter. However, during the proceedings of the matter, the parties to the it have come to the amicable settlement, since the accused of the matter has discharged the liability to the satisfaction of the complainant arising from the disputed instrument/s (cheque/s). Further, inquiring with the complainant it appears that, the complainant has voluntarily produced the present withdrawal pursis (memo) without any coercion, influence or, undue influence from any person. Thus, it appears appropriate for the Court to accept the present pursis.
- So far the question of imposing cost is concerned. Since, the matter is being withdrawn on the eve of national Lok Adalat. So, in the opinion of this Court, imposing cost on the eve of National Lok Adalat, may discourage the litigants from settling their matter on such occasions. Further, the occasion of Lok Adalat itself demands compassionate approach from this Court. Thus, in the opinion of this Court, the facts demand that, no cost shall be imposed upon the accused.
- Thus, this Court is inclined to pass below said final order in the present matter.

::Order::

- The complainant of the matter is permitted to produce the withdrawal against all the accused of the matter.
- Since, the complainant of the matter is permitted to produce the said withdrawal pursis, the accused of the matter is hereby ordered to be acquitted from the charge of Sec. 138 of The Negotiable Instruments Act, 1881 and other such charges associated with it (if any).
- The complainant of the matter is hereby directed submit all the original documents filed under documentary list immediately before this Court.

Dt. : 13/12/2025.

Place : Ahmedabad City.

(N. A. Kulkarni)
42nd Addl. Chief Judicial Magistrate,
SARAS NI Court No. 2,
Ahmedabad City.