



**Summary Cases/5800342/2023
MISS SERA FRANCIS PINTO Vs. KARAN ANAND BOJJA**

**IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS),
58TH COURT, BANDRA, MUMBAI
ORDER BELOW APPLICATION EXH.25**

This is an application filed for granting an interim compensation u/sec.143-A of the Negotiable Instrument Act.

2. Accused failed to file reply despite giving more than sufficient opportunity.
3. Heard advocate for the complainant.
4. Accused was present at 12.00 p.m. but later on accused and his advocate absent when called out repeatedly.
5. Complainant has come with a case of friendly relationship with the accused for last 8 years. It is further alleged that out of said friendly relationship, time to time she had advanced a friendly loan of Rs.8,97,000/- to the accused. In discharge of repayment of said loan accused has issued subject cheque.
6. Accused has not disputed issuance of cheque, his signature. It is crystal clear from the notice reply given in C.C.No.284/SC/2023 at Exh.16 on behalf of the accused by his advocate Mr. Dwivedi that accused admits liability of Rs.8,20,000/-. Accused has averred that due to financial constrain, he could not honor the cheque. So far as defence of the accused put forth from notice reply that complainant deposited the cheque knowing well the poor condition of the accused

intentionally to malign him is concerned, the same is the issue triable during the trial.

7. In view of admitted liability by virtue of notice reply, complainant has made out strong prima facie case to succeed during the trial. The defence taken by the accused vide notice reply prima facie appears improbable and untrustworthy considering admitted fact of friendly relationship in between the parties. This is a fit case to invoke the powers conferred upon this court under section 143-A to grant interim compensation. The case will take its own time to finalize the rights of the parties. It would be just and proper to grant interim compensation to the complainant. Hence, I pass following order.

ORDER

- 1) The application is allowed.
- 2) The accused is directed to make payment of 20% of cheque amount within 60 days from today to the complainant as an interim compensation.
- 3) Order dictated and pronounced in open court.
- 4) Order be uploaded on Court Web Portal.

Date : 08.08.2025

(M. P. Saraf)
Judicial Magistrate, First Class,
58th Court, Bandra, Mumbai.
J.O.Code: MH01362

CERTIFICATE

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

Name of Stenographer : Mrs. Aditi Ravikiran Dalvi
Court : Judicial Magistrate (First Class), 58th Court,
Bandra, Mumbai.
Dictated in open court on : 08.08.2025
Transcribed and Typed on : 08.08.2025
Order printed and Signed on : 08.08.2025
Order Uploaded on : 08.08.2025