

CNR No:PBJL030107052026 **CASE No:NACT-4865-2026**

THE LOTUS COOPERATIVE THRIFT AND CREDIT SOCIETY LTD
Vs GURPREET SINGH

Present: Sh.AKBARJIT SINGH Advocate for the complainant.

SUMMONING ORDER

1. Court fees has already been filed. In preliminary evidence, the complainant has tendered his affidavit Ex.CA along with requisite documents i.e copy of registration certificate Ex.C1, copy of attorney Ex.C2, payment voucher Ex.C3, original cheque Ex.C4, bank return memo Ex.C5, legal notice Ex.C6 , original postal receipt Ex.C7 and closed preliminary evidence of complainant.

2. Heard. Preliminary enquiry has been conducted and this Court has gone through the documentary evidence and other relevant record produced by the complainant in his evidence. As per Judgment of Hon'ble Supreme Court in case titled **Sanjabij Tari vs Kishore S. Borcar & Anr. in Criminal Appeal No. 1755 of 2010 decided on 25.09.2025**, it is not necessary to issue prior summons to the accused before summoning in compliance of Section 223 of BNSS in complaint under Section 138 of NI Act.

3. Perusal of the cheque in question would reveal that the same is dated **30.01.2026** and has been issued by accused. The memo Ex. C5 is dated **31.01.2026** **which is on account of reason "Funds Insufficient"**.The legal notice as such has been issued as per postal receipt **25.02.2026**. The present complaint has been filed on **13.04.2026** which as such is within limitation. Hence, in the considered opinion of this Court, there is prima facie sufficient material to issue process against the accused U/s 138 of Negotiable Instruments Act.

4. Accordingly, process is issued against the accused and he be summoned through ordinary process, Dasti, RC/AD and electronic process i.e. E-Mail of accused to be provided by complainant for **13.10.2026**.

Date of Order: 14.07.2026

*Ritu Bala**

(Sh. Varun Deep Chopra)
Judicial Magistrate First Class,
Jalandhar
UID No . PB00467