

Present: Sh. V.K. Goyal, Advocate counsel for complainant.

Heard. Anil Kumar CW-1, has deposed that he is doing business of wholesale of cattle feed "Binola" and accused has borrowed cattle feed "Binola" from the complainant. Thereafter, in order to discharge his liability, he issued cheques bearing No.236041 dated 18.10.2017 amounting to Rs. One lakh, cheque bearing No.236042 dated 24.10.2017 amounting to Rs. One lakh, cheque bearing No.236043 dated 01.11.2017 amounting to Rs. One lakh, cheque bearing No.236044 dated 08.11.2017 amounting to Rs.1,47,000/- in favour of the complainant as Ex.C2 to Ex.C5. However, when the cheques were presented for encashment, the same were dishonoured vide memo dated 20.11.2017 are Ex.C6 to Ex.C9, vide remarks "Funds Insufficient". He has also deposed that legal notice dated 29.11.2017 as Ex.C10 was also issued to accused vide postal receipts dated 06.12.2017 are Ex.C11 and Ex.C12 respectively. Despite receipts of said notice, the accused failed to pay the cheque amount. This witness also proved attested photostate copy of the Bill No.01 as Ex.C1, photocopies of ledger is Ex.C13, photostate copies regarding GST Tax are Ex.C14 and Ex.C15 and copy of truck built is Ex.C16.

In view of preliminary evidence, this Court is of the opinion that there is sufficient material on the file to summon the accused No.1 for commission of an offence punishable under Section 138 of the Negotiable Instruments Act. Accordingly, accused be summoned for 20.04.2018 on filing of PF, list of witnesses and copy of complaint.

(Pratima Arora)
SDJM/Budhlada
(UID PB:0280)

Date of Order : 04.04.2018
(Vikas)
Next Date : 20.04.2018
Purpose (