

CNR No: PBAS030245912022

CIS No: NACT/3578/2022

INDUSIND BANK LIMITED VS BUDH SINGH etc.

Present: Sh. HARJINDER SINGH Advocate for the complainant.

CW1 is examined and closed preliminary evidence.
(original cheque seen and returned)

Heard on the point of summoning. The complainant while appearing as CW-1 has proved on record various documents i.e.Ex.C-1 to Ex.C4. Accused has failed to make the payment of the cheque amount despite the issuance of the notice within the statutory period. Present complaint has been filed within the prescribed period of limitation. Thus, from perusal of these documents on record, it is clear that there is a sufficient ground to proceed against the accused regarding his/her/their liability for proceeding against him/her/them U/s.138 of "The Negotiable Instruments Act". The detailed expression of opinion is avoided as it is no longer necessary in view of the observation of Hon'ble Supreme Court in "U.P Pollution Board Vs. Mohan Meekan" 2000(2 RCR 411 and as reiterated in "Deputy Chief Controller of Import and Export Vs. Roshan Lal Aggarwal" 2003(2 RCR (CrI. 110, Supreme Court. As such, **accused Budh Singh** is ordered to be summoned for **06.04.2023** through ordinary process and PF/RC/AD, speed post charges. Dasti summons be also given to complainant on request.

Date of Order: 25.01.2023
Upinder Shukla Steno Gr. III

(Isha Goel)
Judicial Magistrate First Class
UID NO . PB00477

