

Suba Singh Vs. Ajit Kumar

23.12.2016

Present: Complainant in person with counsel Sh. KS Brar Advocate.

Complaint present before me. It be registered. Complainant tendered into evidence his affidavit Ex.CW1/A and documents Ex.C1 to Ex.C6 and closed his preliminary evidence.

Arguments heard. In order to discharge a legally enforceable liability, accused issued a cheque Ex.C1, in favour of the complainant, but it was dishonoured vide memo Ex.C2. The complainant served a legal registered notice Ex.C3, through post and postal receipt is Ex.C4, Pronote Ex.C5, Pronote Slip Ex.C6. Therefore, there are sufficient grounds to proceed against the accused u/s 138 of Negotiable Instrument Act. Detailed expression of opinion is avoided in view of the law laid down by the Hon'ble Supreme Court in Deputy Chief Controller of Import & Export Versus Roshan Lal Aggarwal 2003 (2) RCR (Crl.) 110. Accused be summoned for 28.02.2017 to face trial on filing of copy of complaint, RC/AD/PF, etc. within a seven working days.

Announced:
23.12.2016

(Suresh Kumar)
Judicial Magistrate 1st Class,
Bathinda.