

Tarun Kapoor VS M/s Devgan Medical Agencies

Present: Sh. Rupesh Mahendru, Advocate, counsel for the complainant.

Complaint present today. It be checked and registered. Statement of CW1 has been recorded and complainant closed the preliminary evidence.

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.C-7. 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 liability for proceeding against him 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 (Crl. 110, Supreme Court. As such, the accused is ordered to be summoned for 04.03.2019 on filing PF/RC/AD, speed post charges. Dasti summons be also given to complainant on request.

Ajay Gautam
Stenographer, Gr.III
Next Date : 04.03.2019
Purpose : _____

(Jasveer Singh)
JUDICIAL MAGISTRATE IST CLASS
AMRITSAR (UID NO PB0505)
06.11.2018