

CNR No: PBJL030048402019

CIS No: NACT/1296/2019

RIMPI SALES CORPORATION VS JAGGI ELECTRONICS etc.

Present: Sh. A S QAUMI Advocate for the complainant .

Complaint received by way of Judicial Suvidha Centre. It be checked and registered. CW-1 Ravinder Pal Singh is present and examined and thereafter, complainant closed his preliminary evidence.

Heard. Attorney of complainant has stepped into the witness box as CW1 and narrated the whole sequence of events in minute details through **affidavit EX.CA** as detailed by him/her in the written complaint. He/She placed on the record the documents, i.e., **Ex.C1 to Ex.C88**.

After perusing the statement of CW1 and the documents placed on record by him/her in support of his/her submissions, it *prima facie* appears that the cheque Ex. C83 bearing no. 886132 dated 18.10.2018 for a sum of Rs.48099/- issued by accused in favor of the complainant for discharge of his legal liability, was presented by complainant within the prescribed period. However, the same was returned unpaid vide memo Ex. C84 dated 21.12.2018 on ground of “**Exceed Arrangements**” and copy of legal notice Ex. C85 dated 15.01.2019 was issued vide postal receipt dated 16.01.2019 Ex.C86 and Ex.C87 but accused intentionally did not receive the same. Despite notice, the accused failed to make payment within the stipulated period of 15 days. The complaint has been presented well within the period of limitation. As such, I find that there are sufficient grounds to proceed against the accused under section 138 of the Negotiable Instruments Act. Accordingly, **accused M/s Jaggi Electronics through its proprietor Jagdish Makkar**, are ordered to be summoned to face trial for the above said offence on filing of PF/RC/AD and copy of complaint within 3 days for **16.05.2019**. In addition to it, separate notice be also sent to the accused through registered cover as envisaged under section 144 of the Act. Accused be apprised of his/her right of plea of bargaining as mentioned in Chapter-21A of Criminal Procedure Code, 1973, on the summons sent to him/her.

Dated: 28.02.2019
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Supreet Kaur,PCS
JMJC First Class-4
UID/PB0370/Jalandhar