

CNR No:PBHOB10003452026 CASE No:NACT-44-2026

SURJIT LAL Vs SUKHJIT SINGH BAINS

Present: Sh.Harvinder Pal Advocate counsel for complainant.

No preliminary evidence of the complainant is present. On request, case is adjourned to 18.08.2026 for preliminary evidence of the complainant.

Date of Order: 19.05.2026
Diksha Rani

(Jasika Vij)
Judicial Magistrate - Ist Class,
Garhshankar
UID No . PB00664

At this stage, file taken up again. CW1 Surjit Lal is present and tender his affidavit Ex. CW1/A alongwith some documents in preliminary evidence and close preliminary evidence.

Heard on point of summoning of accused. In preliminary evidence, complainant Surjit Lal examined himself as CW1 and tendered his affidavit as Ex.CW1/A (wherein he reiterated the facts as mentioned in the complaint on oath) alongwith documents i.e. original cheque bearing no.000037 dated 09.01.2026 as Ex.C1, memo dated 11.02.2026 as Ex.C2, second copy of legal notice dated 24.02.2026 as Ex. C3, postal receipt as Ex. C4 and the tracking report of the consignment as Ex. C5 and he close his preliminary evidence.

. I have heard the learned counsel for the complainant and have gone through the file with his able assistance.

. Perusal of the complaint as well as the preliminary evidence so available on record prima facie shows that the accused had issued cheque Ex.C1 in discharge of his legal liability in favour of complainant which was later on dishonored for want of 'Funds Insufficient'. The complainant had issued legal notice Ex.C3 to the accused, but he failed to pay the cheque amount to the complainant within statutory period of 15 days. The present complaint is within limitation.

In view of the above noted circumstances, sufficient grounds

are made out to summon the accused under Section 138 of the Negotiable Instruments Act. Accordingly, the accused is ordered to be summoned to face trial for the offence under Section 138 of the Negotiable Instruments Act, on filing of PF, copy of complaint for 18.08.2026. Summons be sent through RC as well as through ordinary process.

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Diksha Rani

(Jasika Vij)
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