

CS.- 39179/2021
Reg No. CS-39179/2021

Order dated: 27.09.2023

Today is fixed for plea.

Complainant is present along with his Ld. Advocate.

Ld. Advocate on behalf of accused is present and files a petition u/s 317 of Cr.PC to condone the absence of the accused person represent him only for today and submitted that on behalf of the accused person he may be allowed to plead after the allegations is read over to him. The Ld. Advocate for the complainant raised no objection.

The record is now taken up for plea.

Perused the record.

Allegation against the accused person is that he, in discharge of his obligation to the complainant, issued cheque being Cheque No. "000145" amounting to Rs.1,91,734/- of Axis Bank Ltd., Gangarampur - 733124, who presented the said cheque for encashment at Axis Bank Ltd.7, Shakespeare Sarani, Kolkata Main Branch, Kolkata - 700 071. But the aforesaid cheque was dishonoured due to "Funds Insufficient". On 23.04.2021 the complainant issued a notice through his Ld. Advocate claiming the aforesaid cheque amount but till date the loan is not repaid.

Accordingly, it is read over to the Ld. Advocate for the accused person under section 251 of Cr. P.C to the effect that "the accused, in discharge of his obligation to the complainant, issued cheque being Cheque No. "000145" amounting to Rs.1,91,734/- of Axis Bank Ltd., Gangarampur - 733124, who presented the said cheque for encashment at Axis Bank Ltd.7, Shakespeare Sarani, Kolkata Main Branch, Kolkata - 700 071. But the aforesaid cheque was dishonoured due to "Funds Insufficient". On 23.04.2021 the complainant issued a notice through his Ld. Advocate claiming the aforesaid cheque amount but till date the loan is not repaid" is read over and explained to the Ld. Advocate on behalf of the accused person to which he pleaded not guilty.

Hence, the trial to be proceeded accordingly.

Fix **16.11.2023** for evidence of complainant.

Accused as before.

D/C by me,

*M.M., 3rd Court,
Calcutta*

*Metropolitan Magistrate, 3rd Court,
Calcutta (J.O Code WB01206)*