

CS – 56950/2023
Reg No. CS – 56950/2023

Order dated: 03.04.2024

Today is fixed for plea.

Ld. Advocate on behalf of the complainant files a petition praying for condonation of absence of the complainant. Heard. Prayer is allowed.

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 represent him only for today and submitted that on behalf of the accused 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 a cheque being Cheque No. “000015” dated 21.03.2023 amounting to Rs.16,82,636/- of Bandhan Bank to the complainant, who presented the said cheque for encashment at HDFC Bank Ltd., 31, Chowringhee Road, Kolkata – 16, PS – Park Street. But the aforesaid cheque was dishonoured due to “12-Drawers Signature differs”. On 12.04.2023 the complainant issued a notice through his Ld. Advocate claiming the aforesaid cheque amounts 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 person, in discharge of his obligation to the complainant, issued a cheque being Cheque No. “000015” dated 21.03.2023 amounting to Rs.16,82,636/- of Bandhan Bank to the complainant, who presented the said cheque for encashment at HDFC Bank Ltd., 31, Chowringhee Road, Kolkata – 16, PS – Park Street. But the aforesaid cheque was dishonoured due to “12-Drawers Signature differs”. On 12.04.2023 the complainant issued a notice through his Ld. Advocate claiming the aforesaid cheque amounts but till date the loan is not repaid” is read over and explained to the Ld. Advocate for the accused person to which he pleads not guilty.

Fix **25.07.2024** for evidence.

D/C by me,

M.M., 3rd Court, Calcutta

Metropolitan Magistrate, 3rd Court,
Calcutta (J.O Code WB01261)