

ORDER BELOW EXH.1 IN SCC NO. 208/2019

(Balhaleshwar Sahakari Patapedhi Ltd. Vs. Nitin Balu Baravakar)

1] Read complaint, affidavit for the purpose of inquiry u/s 200 of Cr.P.C. and perused the documents filed along with the complaint.

2] The cheque No.628413 dated 25.01.2019 was presented for encashment and it has been returned dishonored on 29.01.2019. Notice has been issued on 09.02.2019 and it was received by the accused on 12.02.2019. But the accused did not pay the amount of cheque within stipulated period of 15 days. After accrual of cause of action the complaint is filed on 29.03.2019 within period of limitation.

3] Prima-facie there are sufficient grounds and material on record to proceed against the accused for the offence punishable under section 138 of the Negotiable Instruments Act.

3] Hence, issue process against accused for the offence punishable under section 138 of Negotiable Instruments Act, returnable on or before 05.08.2019.

Date : 16.07.2019

(N. D. Meshram)
Judicial Magistrate First Class
Ghodegaon