

IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS),
52nd COURT, KURLA, MUMBAI.

C. C. No. 2773/Misc./2025

ORDER BELOW EXH.1.

This is an application filed by the complainant for issuance of direction to RCF Police Station to take cognizance against the accused under section 173(4) and 175(3) of BNSS for the offence punishable under section 316(2), 318(4) of BNS.

2. Read the application. Heard Ld. Counsel for the complainant. On perusal of complaint it appears that, the complainant supplied the sea food to the non applicant. The non applicant failed to pay the price of the goods supplied. Therefore, the complainant issued the notice. The non applicant issued the cheque in favour of complainant. But the cheques were dishonored. The non applicant failed to pay the amount to the complainant. Therefore, present application is filed.

3. On perusal of record it appears that, the transaction between the parties was of civil nature. The complainant supplied the goods to the non applicant and he failed to pay the price. Therefore, it is the case of breach of contract. No case for registration of FIR is made out. Hence, no direction can be issued to the police. Hence, I pass the following order.

ORDER

1. The application is hereby rejected.
2. The case is disposed off accordingly.

Date : 06/08/2026

(D. S. Sharma)
Judicial Magistrate (First Class),
52nd Court, Kurla, Mumbai.