

72C/2021
CNR NO. WBHW120011412021

Order dated : 02-08-2023

Today is fixed for appearance.

Complainant is present.

Both the accused persons are present and files a petition praying for confirmation of A.I. bail.

Both set of counsels are present.

Seen the petition. Considered. Let the A.I. bail be confirmed.

Perusal of the record reflects that the record is fixed for appearance and plea since 10.03.2022.

The accused persons are yet to be examined u/s 251 Cr.P.C.

In this circumstance with the consent of both the parties, without further delay the record is taken up for examination of the accused persons U/S 251 Cr.P.C.

Perused the materials on record.

It appears from record there is a prima facie reason to believe that the accused have committed offence punishable **U/S 138 of N.I. Act.**

Accused is read over, explained and asked in Bengali that, “ You in order to discharge your legal liability you issued a cheque bearing no. 000016 dated 25.01.2021 drawn on HDFC Golabari Branch, Howrah of Rs. 63,000/- in favour of the complainant. The complainant duly deposited the cheque at Punjab National Bank, Kharuberia, Shyampur Branch. But the cheque was dishonored and the bank returned the cheque along with a memo on 03.02.2021 with a remark “fund insufficient ”. Then on 09.02.2021 the complainant sent a legal notice to you through his advocate and informed about the matter. You even replied to the notice, But, you did not make any payment to the complainant and thereby you have committed offence punishable u/s 138 of N.I. Act. Are you leading guilty or not ? ”

Hearing substance of accusation accused persons plead not guilty by saying ‘Amra Nirdosh’ and claim for trial.

Let a fresh date be fixed for cross examination.

Day adjourned.

To **10-08-2023** for further cross examination of the complainant.

J.M. 1st Court Uluberia