

In the Court of Judicial Magistrate of First Class, 2nd Court, Berhampore

ORDER SHEET FOR MAGISTRATES RECORDS
CR. case no. 78/19. (CNR No. WBMD04-000502-2019)

In the matter of:
Extract Acquittance:

Sl. no.	Date	Order with signature of Magistrate	Office Note as to action taken on order (if any) and date
	29.11.23.	Complainant is present. Accused, Danesur Rahaman on C.B is present. I have perused the documents as has been submitted by the complainant and the initial deposition of complainant. It appears that a prima facie case under section 138 of N.I.Act is reasonably made out against all the accused. The substance of accusation is stated over to the accused as per provision of section 251 Cr.P.C. as follows: The elements of accusation has been stated over to the accused person that – “You have issued an A/C payee cheque being no. 311531, dated, 05.12.2018 for amount of Rs. 140000/- drawn on Canara Bank, Berhampore Branch in favour of the complainant, in order to discharge legally enforceable debt. But, when the complainant submitted the cheque for encashment with his banker the aforesaid cheque was dishonoured due to “Funds Insufficient” and complainant received the information. The complainant has sent a notice dated 18.12.2018 through his Advocate by registered post with A/D asking you to make the payment good within 15 days of receipt of that notice by you. You have received the said notice on 24.12.2018 but, as you have not make payment within the stipulated time, thereby you have committed an offence u/s – 138 N.I.Act, 1881, which is triable by and within the cognizance of this Court. Do you plead guilty or not guilty?” The accused has pleaded not guilty by saying “AMI NIRDOSH” and claimed to be tried under the procedure established by law. To _____for Evidence.	