

C 112/24

Order dt.11.9.25

Today is fixed for plea.

Both the parties are present by filing hazia.

Heard the Ld. Advocate for both the parties.

Considered.

Perused the petition of the complaint and other materials on record.

Now the record is taken up for plea.

A prima facie case is made out against the accused person u/s 138 Negotiable Instrument Act, 1881 (as amended up to date) and accordingly the substance of accusation is stated to the accused person to the effect that “you in discharge of your legal debts and liabilities had issued **one cheque bearing no.139954 dt.16.10.23 total amounting to Rs.2,22,000/- drawn on Bank of India, Birati Branch** in favour of the **complainant**. That upon the presentation of the said cheques the same got dishonored with remarks “**Funds Insufficient**” and was returned to the complainant by his Banker. That such fact was intimated to you vide a demand notice issued by the Ld. Advocate for the complainant calling upon you thereby to pay back the cheque amount within 15 days of received of the said notice and you even after received of such notice failed to pay back the said amount and you thereby committed an offence u/s 138 of the Negotiable Instruments Act, 1881 (as amended up to date) to which **the accused** pleaded not guilty by saying ‘ami nirdosh’ and claimed to be tried.

Fixing **05.3.26** for evidence.

Typed and printed by me,

J.M, 3rd Court, Barrackpore

J.M, 3rd Court, Barrackpore.

Later:

Order dated : 11.9.25

Both parties are present.

Heard the Ld. Advocate for both the parties.

At this stage, the Court having heard the parties and their Ld. Advocates and having determined that there is possibilities of settlement of the issues by mediation, the parties shall attend mediation as provided by the court at no cost to the parties.

The above parties and Ld. Advocates, if any, will report to the Ld. Mediator on **25.9.25** at **3.00** p.m. If it is not possible to mediate this case on the date fixed, the Mediation Centre/ Ld. Mediator / Concerned authority will arrange the future date for mediation convenient to the parties, if necessary.

If a settlement agreeable to the parties is reached, the terms shall be recorded by the Ld. Mediator and signed by the parties/ their counsel and returned to this Court for further appropriate orders,

If no settlement is reached, neither the parties, the advocates, nor the Ld. Mediator may disclose to this Court anything that was discussed at the mediation.

Having regard to the nature of the case, the fees of the Ld. Mediator be fixed at a consolidated amount of Rs. **2000/-** in terms of Rule 26A(2) of the existing Mediation rules, as amended, on settlement of the case through mediation.

To 5.3.26 for evidence

Report from the Mediation, if any in the meantime.

Typed and printed by me,

J.M, 3rd Court, Barrackpore.

J.M, 3rd Court, Barrackpore