

Copy of the order

**Shilpa Enterprise represented by it's sole Proprietor Shilpa Agarwal Vs Narendra Gupta
C-493/19**

Order dated. 18/01/2020

Today is fixed for S/A.

The complainant is present. Complainant filed written examination on S.A on affidavit. Complainant, namely, **Shilpa Agarwal** for **Shilpa Enterprise** is examined on S/A, under section 200 Cr.PC. Ld. Advocate for the complainant submitted that he will not cite any other witness at this stage.

Perused the complaint petition and the statements of the complainant on S/A u/s 200 CrPC and the affidavit in chief of the complainant.

Having considered the materials on record, it appears that there is prima facie case for proceeding against the accused person under sections 138 of the Negotiable Instrument Act.

Accordingly I am of the view that there is no bar to issue process against the accused person u/s 204 CrPC the Code.

In terms of the latest judgment and direction of the Hon'ble Supreme Court as held in M/S Meters and Instruments Private Limited V. Kanchan Mehta as reported in (2018) 1 SCC 560 and also the circular of the Hon'ble Calcutta High Court being No. C. 2619/2018, the accused persons are given opportunity to compound the instant case at the initial stage by depositing the principal amount of the alleged cheque of **Rs 2,00,000/-** along with 7% interest from the date of insurance of cheque and Rs 5,000/- as cost at the time of making his appearance in this court in connection with this case if he is intending to compound the alleged offence.

Requisites at once.

Fix **08/04/2020** for S/R, appearance and deposit of amount in the judicial cash or payment of the same in the hands of the complainant, if intending to compound.

D & C by me.

JM 3rd court, Barrackpore.