

C-493/19

Order dt.29.02.2024

Today is fixed for plea.

The sole accused on bail is present and filed hazira.

Now the record is taken up for plea.

Heard. Considered.

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

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.- 099763 dt.01.02.2019 amounting to Rs.2,00,000/- drawn on Bank of India, Vivekanand Road Branch** in favour of the **complainant**. That upon the presentation of the said cheque the same got dishonored with remarks “**Exceeds Arrangement**” 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 **14.06.2024** for evidence.

Typed and printed by me,

J.M, 3rd Court, Barrackpore

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