

CNR No:PB BTB10002502026 **CASE No:NACT-51-2026**

M/s Sar Sales Private Ltd. Vs Sukhcharan Singh

Present: Sh.Surinder Kumar Sukhija Adv, counsel for complainant.

Complaint presented today. It be registered. CW-1 Shubham Kumar is present and examined and he suffered statement that he close his preliminary evidence.

Arguments on the point of summoning heard. The complainant has filed the present complaint under section 138 of the Negotiable Instrument Act against the accused on the allegations that in order to discharge his liability, accused issued cheque bearing No.008804 worth Rs.2,32,847/- dated 08.12.2025 each and with assurance that the same will be honoured but when the complainant presented same with his banker for encashment of the same, the said cheque was dishonoured vide memo of the bank with the remarks "**Funds Insufficient**". The complainant served a legal notice calling upon the accused to make the payment of the cheque amount but the accused failed to make the payment.

The complainant examined himself as CW-1 and made statement in the form of his sworn affidavit Ex.CW1/A and deposed that the cheque in question was issued by the accused in order to discharge his liability and further that when he presented the same with his banker the said cheque was dis-honoured with the remarks "**Funds Insufficient**". He also proved on record Ex. C1 to Ex. C7. The complainant has been able to show prima facie that cheque in question was issued by the accused and the same was dis-honoured with the remarks "**Funds Insufficient**" and further the complainant has proved the legal notice calling upon the accused to make the payment of the cheque amount but the accused has failed to make the payment of the disputed amount.

Keeping in view the argument advanced by the ld. counsel for the complainant and preliminary evidence on record as the complainant has been able to show prima facie case against the accused under section 138 of the Negotiable Instrument Act and as such sufficient grounds are there for proceeding further against the accused accordingly. Therefore the accused is summoned under section 138 of the Negotiable Instrument Act on filing of requisite process fee/RC/through speed post, copy of complaint and list of witnesses for 08.05.2026. Dasti summons be given under rules.

Special summons be issued to the accused directing them and giving them an opportunity to pay the cheque amount in the Court either in person or through his authorized representative or through money order or demand draft within a period of 15 days from the date of receipt of these summons or after their appearance in the Court by moving an application in this regard to compound the offence by paying the cheque amount in terms of the directions of Honourable Supreme Court in Damodar S. Prabhu v. Sayed Babalal H., (2010) 5 SCC 663.

Date of Order: 20.03.2026
kulwinder Jeet Singh

(Priyanka I)
Judicial Magistrate Ist Class,
Bathinda
UID No . PB00777