

ORDER BELOW EXH.1

1. Perused the complaint, verification statement of the complainant made on oath and the documents. The copies of documents filed with the complaint were verified from the original brought by the complainant today with him. Perused the statement of the complainant recorded under Section 225 of BNSS during inquiry. Heard the Ld. Advocate for the complainant at sufficient length.

2. It is prima facie seen that, the cheque in question was issued by the accused in favour of the complainant. It was presented by the complainant in the bank within limitation which was dishonored. The legal notice demanding the amount of cheque seems to be prima facie issued within prescribed time against the accused. It is also prima facie seen that, the accused has failed to pay the amount of cheque within 15 days from the date of service of summons. The complaint is filed within prescribed period.

3. The complainant has made out prima facie case to issue process for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 against the accused. In result, I pass the following order :-

O R D E R

- 1) Issue summons to the accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 vide Section 204 of the Code of Criminal Procedure on payment of necessary PF.
- 2) The summons be sent by **Speed Post/ R.P.A.D.** for speedy service as per Section 144 of the Negotiable Instruments Act, 1881.
- 3) The complainant is directed to supply a copy of the complaint along with all the documents to the accused.

Nagpur
Date : 16/05/2025

(S.A. Gawai)
2nd Add. Chief Judicial Magistrate
(Spl. Court for S.138 N.I. Act)
Nagpur