

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No.: Criminal Petition No.2101 of 2024

PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
1)	27.03.2024	<u>SRK, J</u> Learned Assistant Public Prosecutor takes notice for respondent No.2 and seeks time to get instructions in the matter. Issue notice to respondent No.1. Learned counsel for the petitioner is permitted to take out personal notice on respondent No.1 by registered post with acknowledgment due and file proof of service before the Registry within a period of three (3) weeks. On a perusal of the complaint goes to show that in discharge of debt the petitioner herein issued a cheque bearing No.022129 dated 13.06.2022 in favour of the 1st respondent herein/complainant for Rs.12,00,000/- drawn on State Bank of Patiala, Visakhapatnam branch and on presentation of said cheque before the Kotak Mahindra Bank, Arundelpet Branch, Guntur, the same was returned with an endorsement "the State Bank of Patiala is non-practicing in clearing, we are unable to present the said cheque bearing No.022129 in clearing". <i>Prima facie</i>, there is any amount of ambiguity whether the cause shown in the cheque return memo would come within the purview of the ingredients of Section 138 of the Negotiable Instruments Act or not.	Contd....

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		It needs examination. In view of the said reason, there shall be interim stay of all further proceedings in CC No.4351 of 2022 on the file of the learned V Additional Judicial Magistrate of First Class, Guntur, for a period of twelve (12) weeks. List the matter after eight (8) weeks. SRK, J Nsr	

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