

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: CrI.P.No.3668 of 2026

PROCEEDING SHEET

Sl.No	DATE	ORDER	OFFICE NOTE
01.	30.04.2026	<u>Dr.YLR, J</u> Heard learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Issue notice to the Respondent No.2. The learned counsel for the Petitioner is permitted to take out personal notice on Respondent No.2 and file proof to that effect. The Petitioner/Accused No.2 is not the person who issued the cheque. Even as per the averments in the complaint filed by Respondent No.1 before the Jurisdictional Magistrate, it was Accused No.1, the owner of the company under the name and style of Amaravathi Parivahan, who issued the cheque. The Petitioner/Accused No.2 stood only as a guarantor for the loan extended by Respondent No.1 to Accused No.1. The Petitioner/Accused No.2 is the sister-in-law of Accused No.1. In the judgment relied upon by the learned counsel for the Petitioner, Alka Khandu Avhad v. Amar Syamprasad Mishra¹, it was held at paragraph No.10 that a person might be jointly liable to pay a debt; however, such a person cannot be prosecuted under Section 138 of the	

¹ (2021) 4 SCC 675

		Negotiable Instruments Act, 1881 unless the bank account is jointly maintained and that person is a signatory to the cheque. Having regard to the facts and circumstances of the case, there shall be a stay of all further proceedings in C.C.No.1022 of 2024 on the file of the learned II Additional Metropolitan Magistrate, Vijayawada, until further orders. Post after Summer Vacation, 2026. Dr.YLR, J PRA	
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