

10
Regular

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH**  
**AT SRINAGAR**

CRM (M) No. 70/2025

CrIM No. 137/2025

**Syed Tajamul Bashir**

..... Petitioner (s)

Through: Mr. Mir Umar, Adv.

V/s

**Farooq Ahmad Lone**

..... Respondent(s)

Through:

**Coram:**

**Hon'ble Mr. Justice Sanjay Dhar, Judge.**

**ORDER**

17.02.2025

The petitioner has challenged complaint filed by the respondent against him under Section 138 of the Negotiable Instruments Act and the proceedings emanating therefrom which are stated to be pending before the court of Judicial Magistrate 1<sup>st</sup> Class Tangmarg.

Learned counsel for the petitioner has submitted that the impugned complaint has been filed by the respondent prematurely when cause for filing of the said complaint had not arisen in his favour. It has been submitted that the demand notice, as per the receipt annexed with the complaint was received by the petitioner on 26.07.2017 but without waiting for specified period of 15 days, the impugned complaint was filed by the respondent on 01<sup>st</sup> August 2017.

Issue notice to the respondent subject to taking of necessary steps by the petitioner within one week.

List on 28.04.2025.

In the meantime, the proceedings in the impugned complaint pending before the learned Magistrate shall remain stayed.

**(Sanjay Dhar)**  
**Judge**

**SRINAGAR**

17.02.2025

*Aasif*