

Dated:01-07-2019
STC 25/2019

Complainant Present. Accused present. Heard the nature of the case U Sec 138 of NI Act is such that a sentence of imprisonment for a term exceeding one year may be passed and if the case is tried summarily an imprisonment for a term exceeding one year cannot be passed if complainant establishes the case against the accused further, if the case is not tried summarily the entire evidence adduced by either parties can be recorded instead of recording the substance of their evidence and it would be for better adjudication of the case. Hence after hearing the parties. I am of the opinion that it is undesirable to try the case summarily. Therefore as per the provision to section 143 - 1 of NI Act. I am of the opinion that it is not desirable to try the case summarily. Hence, office is directed to close the STC and give Calendar Case Number to it. Accused would be given opportunity to cross examine the complainant as such no prejudice would be caused to either parties. Accused is examined U Sec 251 CRPC by explaining substance of acquisition of the offence U Sec 138 of NI Act. Having understood the same he pleaded not guilty. Hence Accused is directed to for production of sureties and For cross examination of PW1 call on 26.7.2019..

Sd/- B.Devendra Reddy,
Judicial Magistrate of I Class,
Pakala