

Nact-02-2018. Krishan Kumar Vs. Satnam Singh.

Cnr No.HRKRA10000032018.

Present: Sh.S.L.Singhal Adv. For complainant.

Arguments heard on the point of summoning the accused. Vide my separate order of even date, accused has been summoned for the commission of offence punishable U/s 138 of N.I Act. Now, notice to the accused be issued for 18.07.18 on filing of requisite charges.

(Rekha)

ACJ,SD-cum-SDJM, Assandh.

(UID No.HR-0298).

Date of order:**15.05.18.**

Typed by: Punit Kumar
(Steno Gr-III).

Next date:18.07.18.

Purpose: _____

Nact-02-2018. Krishan Kumar Vs. Satnam Singh.

Cnr No.HRKRA10000032018.

Present: Sh.S.L.Singhal Adv. For complainant.

ORDER:

The complainant has filed the above noted complaint with the allegations that to discharge his outstanding liability, the accused issued the cheque no.875224 dated 04.11.2017 amounting to Rs.1,90,000/- but the same was dis-honoured with remarks '**Funds Insufficient**'. A registered legal notice was served by the complainant on the accused well in time, but despite that the accused did not make the payment, therefore, the accused may be summoned tried and convicted.

2. To prove the allegation in preliminary evidence of complainant appeared in the witness box as CW1 and relied upon the documents i.e. Affidavit Ex.CW1/A & Ex.C1 to Ex.C6 and closed the preliminary evidence.

3. Preliminary evidence was perused. The counsel for the complainant was heard.

4. From the perusal of statement of the complainant along with relevant documents produced in mentioning evidence, it comes up that the complainant had presented the cheque in question to the banker in time and further issued notice to the accused within a period of 30 days from the date of receipt of communication about dishonour of cheque. However, the accused failed to make the payment. Hence, sufficient grounds are made out to summon the accused for the offence punishable under section 138 of Negotiable Instrument Act 1881. The accused is liable to be summoned accordingly.

5. In view of the above discussion, the accused hereby ordered to be summoned for the offence punishable under section 138 of the Negotiable Instrument Act for 18.07.18 on filing of PF etc.

(Rekha)
ACJ,SD-cum-SDJM, Assandh.
(UID No.HR-0298).

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