

Present: Complainant with counsel, Shri Vijay Kaushal, Advocate.

Complaint under section 138 of NI Act presented today. It be registered. Complainant Notin Verma tendered into preliminary evidence his duly sworn affidavit as Ex. CW1/A along with documents i.e. authority letter Ex. C1, original cheque Ex. C2, returned memo Ex. C3, legal notice Ex. C4, postal receipt Ex. C5 and closed the same.

1. Heard on the point of summoning of accused. From cheque Ex.C2, it shows that the same was issued in favour of complainant for a sum of ₹50,000/- by accused, Memo Ex.C3 suggests that this cheque was dishonored with the remarks 'Funds Insufficient' and then the copy of the legal notice dated 22.11.2017 Ex.C4 further suggests that the accused was required to make the payment of the cheque in question within a period of 15 days from the receipt of the notice, then postal receipt Ex.C5 shows that notice was posted on 23.11.2017 Hence, the notice was given within a stipulated period and then the present complaint has been filed well within the statutory period.

2. For the reasons as recorded above, I find sufficient grounds to proceed against the accused under Section 138 of Negotiable Instruments Act. Let, accused Jagat Pal be summoned for the same on filing of PF, copy of complaint as well as list of witnesses within 5 days, for 29.01.2018.

(Sunil Kumar)
Stenographer-III
Purpose :

Ashok Kumar Chauhan,PCS
SDJM/APS/02.01.2018
UID No. PB-0266