

KAKL200026612023



Presented on : 05-08-2023
Registered on : 05-08-2023
Decided on : 24-08-2023
Duration : 0 years, 0 months, 19 days

**IN THE COURT OF
ADDL CIVIL JUDGE AND JMFC BANGARAPET
AT BANGARAPET,KOLAR
(Presided Over by Sri. Ajit Devaramani)**

P.C.R./160/2023

Exhibit No.

Complainant(PROSECUTION):

Raghavendra Raju

Through Police Station Officer

, Annapoorneshwari Nilaya, Near Sandeepani School, Karahalli post, Bangarpet taluk.

BANGARAPETKOLAR

Raghavendra Raju

VERSUS

Accused:

V. Shankara

Age: 36

Occupation :

S/o. Venkateshappa, a/a 36 years, R/at Karamanahalli village, Alambadi Jothinahalli post, Budikote Hobli, Bangarpet taluk.

APP for State Complainant}: P.Shivaram,

Advocate for appearing for V. Shankara Advocate appearing for , respectively.

Offence punishable under :

00 of Under Section 200 of Cr.P.C,

ORDER

This complaint is filed U/Sec.200 of Cr.P.C. against the accused for the offence punishable U/Sec.138 of N.I. Act.

Complainant present Scrutinized the complaint and affidavit. Cheque is dt.09-06-2023, Bank endorsement is dated.12-06-2023, legal notice is dated.05-07-2023, legal notice served on 10-07-2023, Complaint is filed on 04-08-2023. Therefore complaint is well within time and all the above documents are found to be in order. Therefore, cognizance for the offence punishable U/Sec. 138 of N.I. Act is taken.

Complainant has filed affidavit and he is examined as PW-1. Ex.P-1 to P-5 are marked. Ex.P-1 is the cheque, Ex.P-2 is the bank endorsement, Ex.P-3 is the legal notice, Ex.P-4 is the postal receipt, Ex.P-5 is the postal acknowledgement.

Perused the affidavit and perused the Ex.P-1 to P-5. Complainant has complied all the mandatory requirements of Section 138 of N.I. Act.

On perusal of materials placed on record, this Court is of the opinion that, there are sufficient grounds to proceed against accused for the offence punishable U/Sec. 138 of N.I. Act.

Accordingly this Court proceeds to pass the following;

ORDER

Office is directed to register the criminal case against the accused for the offence punishable U/Sec. 138 of N.I. Act in register No. III.

(After registering C.C., office is directed to close this P.C.R.).

Further, in view of the decision of **Hon'ble Supreme Court in Indian Bank Association and others V/s Union of India and another reported in (2014) 5 SCC 590** case, the sworn statement of the complainant shall be treated as his examination in chief.

Copy of the complaint filed.

Issue process against the accused through RPAD.

Counsel for the complainant is directed to furnish the PF and RPAD cover in the office.

For the appearance of accused.

Call on 16-10-2023.

Date : 24-08-2023

(Sri. Ajit Devaramani)
ADDL CIVIL JUDGE AND JMFC
BANGARAPET