

Complainant is present. The complainant presented the complaint on this day under Section 200 Cr.P.C for the offence punishable u/s 138 of NI Act. The complainant files an affidavit in lieu Sworn statement as per decision reported in (2014) 5 SC Cases 590 in the case of Indian Bank Association and others Vs Union of India and others and ILR 2014 Kar 5237 M/s Mesh Trans Gears Pvt Ltd. Vs Dr.R.Parvatha Reddhy. The said affidavit filed by the complainant is treated as Sworn Statement and Ex. are marked.

Heard counsel for complainant. Perused the documents, affidavit. On perusal of same, it appears that the complainant as made out prima facie case against accused for the offence punishable Under Section 138 of Negotiable Instrument Act. The complainant complied with the provisions of 138(a) to (c) of NI Act. It also appears that the cheque had been issued towards discharge of Legally Enforceable Debt or other liability. There is no delay. Witness list also filed. Hence, at this stage sufficient materials are available on record to issue process against accused. Accordingly I pass the following:

### **ORDER**

Office to register as Criminal Case U/S 204 of Cr.P.C in the concerned register for the offence punishable U/S 138 of NI Act.

Issue summons to accused through court and RPAD. Call on

XXXIV ACMM, B'lore.