

CNR No: PBAS030345532023

CIS No: NACT/3724/2023

THE AMRITSAR CENTRAL COOPERATIVE BANK LIMITED VS
BHIR SINGH etc.

Present: Sh. SS RAJPUT Advocate for the complainant.

CW1 is examined and close preliminary evidence. (Original Cheque seen and returned) Heard on the point of summoning. The complainant while appearing as CW-1 has proved on record various documents i.e.Ex.C1 to Ex.C10. Accused has failed to make the payment of the cheque amount despite the issuance of the notice within the statutory period. Present complaint has been filed within the prescribed period of limitation. Thus, from perusal of these documents on record it is clear that there is a sufficient ground to proceed against the accused regarding his/her/their liability for proceeding against him/her/them U/s.138 of "The Negotiable Instruments Act". The detailed expression of opinion is avoided as it is no longer necessary in view of the observation of Hon'ble Supreme Court in "U.P Pollution Board Vs. Mohan Meekan" 2000(2 RCR 411 and as reiterated in "Deputy Chief Controller of Import and Export Vs. Roshan Lal Aggarwal" 2003(2 RCR (Crl. 110, Supreme Court. As such, the accused Bhir Singh is ordered to be summoned for 15.12.2023 through PF/RC/AD, speed post charges through ordinary process as well as RC. Dasti summons be also given to complainant on request.

Date of Order: 12.10.2023

Nishima Steno Gr. III

(Isha Goel)

Judicial Magistrate First Class

UID NO . PB00477