

CT Cases 3829/2019, 3830/2019, 3831/2019, 3832/2019, 3833/2019 and 3834/2019  
A.S. TRADING CO. Vs. SARWAN RAM CHHARANG  
PS Gandhi Nagar

18.09.2019

Fresh case received by assignment. It be checked and registered.

Present: Complainant in person with counsel.

Ld. Counsel for the complainant submits that the present complaint case u/s 138 of NI Act is accompanied by the supportive affidavit and requisite documents. Accordingly, the present complaint, supportive affidavit and the documents filed and relied by the complainant are scrutinized and same are found to be in order and within the period of limitation in terms of section 138 r/w 142 of NI Act. In view of the written complaint, supportive affidavit and the documents sought to be relied by the complainant and presumption of consideration qua cheque in question u/s 118 r/w 139 of the NI Act and strict liability u/s 141 of the NI Act, this court is of considered view there are sufficient prima facie material against the accused for committing offence punishable u/s 138 of NI Act. Accordingly, in terms of direction No. (1) of Hon'ble Supreme Court of India passed in Indian Bank Association & Ors. Vs. Union of India & Anr. in Writ Petition (Civil) No. 18 of 2013 dt. 21.04.2014, cognizance of offence punishable u/s 138 of the NI Act is taken and summons be issued in all lawful modes including speed post and registered couriers except dasti for next date of hearing.

Complainant is directed to file PF and take steps within 30 days including providing copy of the complaint otherwise the complaint may be dismissed u/s 204(4) CrPC.

Matter be again listed for appearance of parties / further proceedings on 08.01.2020.

(TUSHAR GUPTA)  
MM, NI Act (East)/KKD COURTS  
18.09.2019