

IN THE COURT OF HON'BLE XIV ADDITIONAL CHIEF METROPOLITAN  
MAGISTRATE: AT: HYDERABAD.

CC No.      OF 2016.

Between:

Sri Khagesh Kachhwal, S/o, Premasukh Kachhwal, aged 33 years, Occu: Business,  
R/o, E-303, Nagarjuna Residency, NCC urban, Gachibowli, Hyderabad.

.....Complainant.

And

Mr. Babulal Yadav S/o Govind Ramji Yadav, Age 41 years Occu: Sarpanch Dadiya  
(Village), Sanganer (Tehsil) Jaipur District, Rajasthan State-303905.

.....Accused.

**Complaint filed U/s, 200 of CRPC R/w, Sec. 142 Of Negotiable Instruments Act.**

May it please Your Honour.

1. Name of the Offence : Offence Punishable U/s, 138 of N.I. Act.
2. Place of Offence : Complainant Bank, HDFC Bank, Punjagutta,  
Hyderabad Branch which comes within the  
Jurisdiction of Punjagutta Police Station and  
the same is Within the Jurisdiction of this  
Hon'ble Court.
3. Date of Offence : 12-4-2016.
4. Jurisdiction of P.S. : Punjagutta Police Station.
5. List of Witnesses :
  - 1) Complainant.
  - 2) The Branch Manager, HDFC Bank,  
Punjagutta, Hyderabad Branch.
  - 3) Sushil Joshi, S/o, Suryanarayana.  
R/o, Jaipur, Rajasthan state.
6. List of Documents : As per the List Enclosed.

| Cheque No. | Drawn on Date | Date of presentation | Drawn on Bank  | Amount           | Reason for Dishonor |
|------------|---------------|----------------------|--|------------------|---------------------|
| 351966     | 5/12/2015     | 29/2/2016            | HDFC BANK<br>Branch- Punjagutta,<br>Hyderabad-500082 | Rs<br>5,50,000/- | Stop Payment        |
| 351967     | 3/12/2015     | 29/2/2016            | HDFC BANK<br>Branch- Punjagutta,<br>Hyderabad-500082 | Rs<br>5,50,000/- | Stop Payment        |
| 351969     | 30/11/2015    | 29/2/2016            | HDFC BANK<br>Branch- Punjagutta,<br>Hyderabad-500082 | Rs<br>5,50,000/- | Insufficient Fund   |

7) That the accused issued cheques which are bad for value and thereafter had got the same dishonored intentionally and willfully to cheat and make wrongful loss to the complainant and to gain wrongfully.

8)**Cause of action:-**That thereafter the complainant got issued legal notice dated: 17-3-2016 through his counsel calling upon the accused for the payment of the amount covered by three Cheques and the notice was sent by way of RPAD to the correct address of the accused was served on 28-3-2016 but the accused not paid the amount within a period of 15 days as demanded in statutory notice from the date of the receipt of notice but issued reply dated:-12-4-2016 received on 15-4-2016 with false and concocted stories.

9)**Jurisdiction:-**It is submitted that the Complainant bank is HDFC Bank, Punjagutta Hyderabad branch and which comes within the Jurisdiction of Punjagutta Police Station and the same is within the jurisdiction of this Hon'ble Court as such this Hon'ble Court has got territorial Jurisdiction to entertain and try the complaint.

**LIST OF DOCUMENTS FILED BY THE COMPLAINANT.**

| Sl.No | Date                                 | Parties to the Document | Description of the Document  |
|-------|--------------------------------------|-------------------------|--|
| 01    | 5-12-2015<br>3-12-2015<br>30-11-2015 | Complainant & Accused.  | Original cheque bearing No. 351966, 351967, 351969 respectively for total amount of Rs. 16,50,000/- (Rupees Sixteen Lakhs Fifty Thousand Only) issued by accused drawn on Axis Bank, Sanganer, jaipur Rajasthan state. |
| 02    | 2-3-2016                             | Complainant & Accused.  | Original Cheques return memos.   |
| 03    | 17-3-2016                            | Complainant & Accused.  | Office Copy of Legal Notice  |
| 04    | 17.03.2016                           | Complainant & Accused.  | Original Postal Receipt.   |
| 05    | 25-11-2016                           | Complainant & Accused.  | Original Agreement dated:-25-11-2015   |
| 06    | 2-5-2016                             | Complainant & Accused.  | Original Bank Account statement of complainant   |
| 07    | 28-3-2016                            | Complainant & Accused.  | Original Acknowledgement card  |
| 08    | 12.4.2016                            | - DO -                  | REPLY NOTICE WITH POSTAL COVER   |

Date: 2-5-2016.  
Hyderabad.

Complainant.

  
Counsel for the Complainant.