Shree Balajit Jewellers vs Rajinder Kaur 8032

Present: Sh. Pradeep Sharma,counsel for the complainant.

Today, case was fixed for filing RC/AD. RC/AD dated 08.10.2024 placed on record by the Ld. Counsel of complainant. None present on behalf of accused. Ld. Counsel of complainant orally requested to proceed the case as per law as due opportunity before taking cognizance as per Section 223(1) of BNSS 2023 was granted and accused failed to put his appearance before the Court. Request heard. Perusal of the file reveals that vide order dated 08.08.2024 pre cognizance notice was directed by this Court and same was complied with by the Ld. Counsel of complainant. Further perusal of the RC/AD reveals that same was executed on 08.10.2024 as per the Section 27 of General Clause Act, 30 days were expired and now it is presumed that accused received the due notice and has the full information about the present case. Absence of accused clearly shows that he do not want to say anything. In view of the above said facts, proviso to Section 223(1) of BNSS, 2023 is duly complied with. Now to come up on 10.01.2025 for recording preliminary evidence of complainant.

Date of Order: 04.12.2024
Payal, Stenographer Gr. III

Tarun Kumar, PCS
Judicial Magistrate Ist Class, CHD
UID No.PB0631