

CNR No: PBAS030101232022

CIS No: NACT/1236/2022

NATURE TEXTILES VS RISHAB TEXTILES

Present: Sh. Rajesh K Sharma Advocate for complainant

B/W issued to accused received back unexecuted. Presence of accused could not be procured despite issuance of notice. Counsel for complainant stated at bar that the accused is in knowledge of the pendency of present proceedings and is deliberately not attending the court and is now concealing himself to prevent execution of notice issued against him. Rather, the proceedings are being watched through his counsel. By doing so, accused is trying to delay the trial. Legislature has contemplated that trial of offence u/s. 138 of Negotiable Instrument Act is to be concluded within the period of six months. Presence of accused cannot be procured despite issuance of coercive process. Accordingly, I am satisfied that accused cannot be served through ordinary process. As such, Accused is / are ordered to be summoned through non bailable warrants of accused be issued for 7.2.2023

Date of Order: 2022-11-25

*Mukesh Kumar (stenographer)*

(Isha Goel)

Judicial Magistrate First Class

UID NO . PB00477