

Anu Kalra Vs. Davinder Kumar & Anr. NACT-990-2021

Present: Complainant with Ms.Jagdeep Kaur Bhangu, Advocate counsel for complainant.

Complainant Anu Kalra is present and tendered her affidavit Ex.CW1/A alongwith documents Ex.C1 to Ex.C5 and closed her preliminary evidence.

Heard, on the point of summoning of accused. The present complaint has been filed by the complainant against above mentioned accused under section 138 of Negotiable Instrument Act on the allegations that in order to discharge his liability, accused issued a cheque No.219351 dated 15.09.2021 amounting to Rs.3,50,000/- in favour of complainant BANK, with an assurance that same will be honoured on its presentation but on presentation of the said cheque, same was returned back unpaid with memo dated 01.10.2021 mentioning the reasons "**Account Closed**". Thereafter a legal notice dated 10.10.2021 was sent to accused to make the payment through registered post. Accused did not repay the amount. Hence the present complaint.

In preliminary evidence complainant himself stepped into witness box and tendered her duly sworn affidavit Ex-CW1/A along-with documents i.e. Ex-C1 to Ex-C5.

I have heard the ld. Counsel for the complainant and I have also gone through the complaint as well as preliminary evidence on record. From the evidence available on record, there are sufficient grounds to summon the accused under section 138 of Negotiable Instrument Act. Therefore, accused is ordered to be summoned through ordinary process as well as through RC on filing of RC/AD, through whatsapp, through e-mail and speed post be issued for **21.04.2022**. Dasti be given if so desired.

Date of Order: 17.03.2022
(Rajbir Kaur)

(Ravtesh Inderjit Singh)
JMIC/MOHALI
UID No. PB0522