



Criminal Courts, Sri Anandpur Sahib
IN THE COURT OF Sh Jagmilap Singh Khushdil
Sub Divisional Judicial Magistrate Sri Anandpur Sahib
Next Date, Purpose of case, Orders and Judgments as well as other
case information is available on <http://ecourts.gov.in>

**SUMMONS TO AN
ACCUSED PERSON**

(See Section 61)

NACT/49/2023

Satbir Singh Vs Balwinder Singh
POLICE STATION/FIR NO. //0
138 of Negotiable Instruments Act
Previous Date 07-06-2023
NEXT DATE : 19-08-2023

To,

Balwinder Singh
Father :- Sukhchain Singh
R/o VPO Dadyal Saila Khurd, Tehsil Garshankar, District Hoshiarpur

WHEREAS your attendance is necessary to answer to a charge of offence punishable under
Under Section 138 of Negotiable Instruments Act. You are hereby required to appear in person
(or by pleader, as the case may be) before the (Magistrate) of Sub Divisional Judicial Magistrate,
on the day of 19-08-2023. Herein fail not.

Dated, this day of 09-06-2023



Reader to
Sub Divisional Judicial Magistrate
Sri Anandpur Sahib

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To get Next Date and Purpose of your case through SMS, kindly register your mobile with the Reader/Ahlmad

MONU IS CONVICTED BY THE COURT.



पद्दी सुरन सिंह (होशियारपुर) पंजाब
 PADDI SURAN SINGH (Hoshiarpur) Pb - 144529
 RTGS/NEFT IFS Code : PUNB0292500

सभी शाखाओं पर देय PAYABLE AT ALL BRANCHES

22022023
 D D M M Y Y Y Y

या धारक को OR BEARER

PAY SATBIR SINGH

रुपये RUPEES

Nine Lac eleven thousand Only.

अदा करें

₹ 911000/-

खाता सं.
 A/c. No.

2925000108220524

बचत खाता
 SAVINGS A/c

2925000108220524

Balwinder

BALWINDER SINGH
 Please sign above

HDM

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07/09/19 269503

केवल तीन माह के लिये वैध VAL D FOR THREE MONTHS ONLY

06/11/2023
 07/09/19
 269503

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LEGAL NOTICE

ex c/1/B6
SDRM
Date 02/05/2023
Smt. Arundhati Singh

To:

1. BALWINDER SINGH S/O SUKHCRAIN SINGH C/O BHAGAT HARI SINGH CHARITABLE HOSPITAL / TRUST , VPO DADYAL, SAILA KHURD, TEHSIL GARHSHANKER, DIST- HOSHIARPUR (144529)

FROM: SATBIR SINGH S/O GULLIT SINGH R/O B-11 MCH 751/2, KAMALPUR, JALANDHAR ROAD, OPPOSITE HIRA LAB, HOSHIARPUR-146001-PUNJAB [INDIA]

SUBJECT: LEGAL NOTICE U/S 138 OF NEGOTIABLE INSTRUMENT ACT.

DEAR SIR,

AS EXPLAINED BY MY CLIENT AND AS PER INSTRUCTIONS OF THE CLIENT, YOU ARE BEING SERVED UPON THIS LEGAL NOTICE U/S 138 OF NEGOTIABLE INSTRUMENTS ACT ON BEHALF OF MY CLIENT SATBIR SINGH. IT IS IN VIEW OF THE FACT THAT THE CHEQUE NUMBERED AS '269503' ISSUED BY YOU WITH PARTICULARS AS CHEQUE NUMBER '269503', PUNJAB NATIONAL BANK, DATED 22-02-2023 FOR AMOUNT OF RS NINE LAKHS ELEVEN THOUSAND ONLY HAS GOT DISHONOURD AS REASON GIVEN BY BANK '55- ACCOUNT BLOCKED SITUATION COVERED IN 2125'.


THE CHEQUE ISSUED BY YOU DATED 22-02-2023 FOR AMOUNT OF RS NINE LAKHS ELEVEN THOUSAND ONLY RELATING TO PUNJAB NATIONAL BANK, HOSHIARPUR TO PAY MY CLIENT SATBIR SINGH FOR RS RS NINE LAKHS ELEVEN THOUSAND ONLY HAS GOT DISHONOURD AND RETURNED UNPAID BY THE BANK FOR THE REASON OF '55- ACCOUNT BLOCKED SITUATION COVERED IN 2125'. THE PRESENTATION DATE OF THE CHEQUE ISSUED BY YOU IS 09-03-2023 AND RETURN DATE IS 10-03-2023. THE CHEQUE ISSUED BY YOU WAS PRESENTED TO INDIAN BANK, HOSHIARPUR, NOW THE BANK HAS ISSUED THE MEMO WITH RETURNED CHEQUE DUE TO REASON OF '55- ACCOUNT BLOCKED SITUATION COVERED IN 2125'.

YOU ARE BEING SERVED THIS LEGAL NOTICE & CALLED UPON TO PAY MY CLIENT RS NINE LAKHS ELEVEN THOUSAND ONLY. YOU ARE HEREBY CALLED TO PAY THE SAID AMOUNT OF RS NINE LAKHS ELEVEN THOUSAND WITHIN FIFTEEN DAYS OF THIS LEGAL NOTICE.

YOU ARE HEREBY SERVED THIS LEGAL NOTICE ON BEHALF OF MY CLIENT SATBIR SINGH WITH ABOVE MENTIONED PARTICULARS. YOU NEED TO PAY RS NINE LAKHS ELEVEN THOUSAND ONLY WITHIN FIFTEEN DAYS OF THIS LEGAL NOTICE. IN CASE OF ANY CLARIFICATIONS FEEL FREE TO CALL AT MY MOBILE NUMBER OR CONTACT AT MY OFFICE ADDRESS. THIS AMOUNT IS PENDING WITH YOU AND YOU HAVE TO PAY MY CLIENT SATBIR SINGH ON ACCOUNT OF FRIENDLY LOAN GIVEN TO YOU.

DATE: 15-03-2023

THANKS AND REGARDS


DEEPIINDER SINGH [ADVOCATE]
MOBILE: 95305-60160

ADDRESS: DEEPIINDER SINGH ADVOCATE
R/O HNO-751/2, KAMALPUR, JALANDHAR ROAD,
OPPOSITE HIRA LAB, HOSHIARPUR-146001-PUNJAB
[INDIA]

ATTEST



Residing Address

Date

08/07/2023

CNR No: PBROA10004312023

CIS No: NACT/49/2023

Satbir Singh vs Balwinder Singh

Section 202 Cr.P.C. is to be conducted as directed by the Hon'ble Supreme Court in **Suo Moto Writ Petition (Crl.) No.2 of 2020 re: expeditious trial of cases under Section 138 of N.I. Act, 1881** and further circulated by the Hon'ble P&H High Court vide letter No.2066/Spl.Gaz.II.17. Dated 30.11.2021.

However, in the considered opinion of the court the accused has due knowledge of the present complaint as is evident from the reply to the legal notice (Ex.C1/7). Moreover, the complainant has deposed upon affidavit to support his contentions in the present complaint. As such the mandatory inquiry under Section 202 Cr.P.C. is ordered to be dispensed with.

The detailed expression of opinion is avoided as it is no longer necessary in view of the observation of Hon'ble Supreme Court of India in **U.P Pollution Board Versus Mohan Meekan, 2000(2) RCR 421** and reiterated recently in **Deputy Chief Controller of import and export Versus Roshan Lal Aggarwal, 2003(2) RCR (Crl) 110(SC)**. Now, the accused be summoned, to face trial under Section 138 of Negotiable Instrument Act, through registered post on filing of RC/AD, PF, copy of complaint, etc., within a week at own responsibility of the complainant, returnable for 19.08.2023. Dasti summons be issued, if so desired.

Dated: 07.06.2023

Vinod Kumar (STG-I)

Jagmilap Singh Khushdil, PCS
Sub Divisional Judicial Magistrate
Sri Anandpur Sahib (UID No. PB-0342)

Name of Applicant: Vinod Kumar
Name of the Copiest: [Signature]
Page: 3
Copying Fee: [Signature]
Urgent Fee: [Signature]
Date of Preparation: 16-6-2023
Date of Attestation: 16-6-2023
Date of Delivery: 19-6-23

VINOD
KUMAR

I attest to the
accuracy and
authenticity of the
document.
Date: 2023.06.07
12:15:00

Attested to be true copy

Incharge Copying Agency to
Addl. Civil Judge (Sr. Div.)
Sri Anandpur Sahib 16/6/2023

Satbir Singh vs Balwinder Singh

Present: Complainant with counsel Sh. Deepinder Singh, Advocate.

Arguments heard at length today upon the summoning of the accused. Minute perusal of the file reveals that the complainant and the accused are residing beyond the jurisdiction of this court. However, the cheque in question (Ex.C1/4) was presented in the branch of the complainant bank (Indian Bank) at Sri Anandpur Sahib and the same was dishonoured due to reason "account blocked". Reliance is placed upon case law titled as **Jiwan Kumar vs P.A. Terly CRM-M-18600-2015 decided on 01.06.2023** by the Hon'ble P&H High Court and **P.S. Raj Steels Private Ltd. Reliance Steel Industries and another CRM-M-46627-2016 (O&M)** decided on 13.04.2023 by the Hon'ble P&H High Court. Further reliance is placed upon Section 142 (2) (a) of the Negotiable Instruments Act, 1881 which states as :

The offence under Section 138 shall be inquired into and tried only by a court within whose local jurisdiction-

(a) if the cheque is delivered for collection through an account, the branch of the bank where the payee or holder in due course, as the case may be, maintains the account, is situated

Thus, it is clear from the above discussion that the present complaint is maintainable in its present form as the branch of the complainant bank is situated at Sri Anandpur Sahib.

The other point for consideration is whether the inquiry under

Copy to exchange

Date 16/6/2023

CNR No: PBROA10004312023

CIS No: NACT/49/2023

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Dated: 07.06.2023

Vinod Kumar (STG-I)

Jagmilap Singh Khushdil, PCS

Sub Divisional Judicial Magistrate

Sri Anandpur Sahib (UID No. PB-0342)

Name of Applicant.....

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VINOD
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I attest to the
authenticity and
correctness of the
document.
Digitally signed by
VINOD KUMAR
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Incharge Copying Agency to

Addl. Civil Judge (Sr. Divn.)

AD JM, Anandpur Sahib

16/6/2023

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