

ON RETURN OF CHEQUE

A legal notice
under Sec. 138 of the Negotiable Instruments Act, 1881
has to be sent within 30 days of the receipt of the intimation of dishonor of cheque.

Legal Notice shall give a period of 15 days for making the payment of the amount of the dishonored cheque.

If no Payment is made within 15 days of the receipt of the notice of dishonor of cheque,
The criminal complaint shall be filed within 30 days of the expiry of the notice period.

FILING OF COMPLAINT BEFORE COURT
OF COMPETENT JURISDICTION
(within 30 days of the expiry of the
notice period) (Sec. 142 of NI Act)

MARKING OF THE CASE TO THE
MAGISTRATE OF APPROPRIATE AREA
JURISDICTION (Sec. 143 of NI Act)

APPEARANCE BEFORE THE COURT

COURT HEAR THE CASE ON THE SAME DATE ON
MAINTAINABILITY AND SCRUTINIZE THE TIME
LINE LIMITATION ETC.

TAKE PRELIMINARY EVIDENCE OF THE
WITNESSES PRESENT IN SUPPORT OF THE
COMPLAINT BY AN AFFIDAVIT OF THE
COMPLAINANT IN SUPPORT OF THE
COMPLAINT
(SECTION 145 OF THE NEGOTIABLE
INSTRUMENTS ACT, 1881)

HEAR THE ARGUMENTS OR ADJOURN THE
CASE FOR ARGUMENTS

PASS ORDER FOR SUMMONING THE
ACCUSED OR MAYADJOURN CASE FOR
ORDERS

ORDERS PASSED

SUMMONING OF THE ACCUSED

SUMMONS ISSUED TO ACCUSED
(Sec. 144 of NI Act)

ACCUSED NOT SERVED - RE SERVICE BY COERCIVE
MEASURES THROUGH POLICE

ACCUSED SERVED

APPEARANCE OF ALL ACCUSED NAMED IN
COMPLAINANT

ACCUSED DOES NOT APPEAR OR
FAILS TO APPEAR

BAILABLE
WARRANTS ISSUED
TO COMPEL THE ACCUSED
TO APPEAR

NON-BAILABLE
WARRANTS ISSUED
TO COMPEL THE ACCUSED TO
APPEAR

GRANT OF BAIL TO ACCUSED ON
FURNISHING OF BOND AND SURETY

ON COERCIVE APPEARANCE, COURT TAKES A DECISION
TO GRANT BAIL OR SEND THE ACCUSED TO JAIL FOR THE
DEFIANCE OF THE ORDER OF THE COURT

COMPLETION OF FORMALITIES - SUPPLY
OF DOCUMENTS

TRIAL STARTS
NOTICE TO ACCUSED

ACCUSED PLEAD GUILTY → CONVICTION

ACCUSED - PLEAD NOT
GUILTY

DATE IS GIVEN FOR COMPLETION OF EVIDENCE BY THE
COMPLAINANT

COMPLAINANT EVIDENCE

ALL WITNESSES OF COMPLAINANT ARE EXAMINED

COMPLETION OF COMPLAINANT EVIDENCE

EVIDENCE BY ACCUSED

ARGUMENTS BY COMPLAINANT &
ACCUSED

DECISION BY COURT