

Negotiable Instruments Act, 1881 , S. 138 - Before summoning an accused under Section 138 of the Act, the Magistrate is expected to examine the nature of allegations made in the complaint and the evidence both oral and documentary in support thereof and then to proceed further with proper application of mind to the legal principles on the issue - Impliedly, it is necessary for Courts to ensure strict compliance of the statutory requirements as well as settled principles of law before making a person vicariously liable - The Superior Courts should maintain purity in the administration of Justice and should not allow abuse of the process of Court.

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