

Negotiable Instruments Act, 1881 (26 of 1881), S. 138 – Security cheque – Appellant cannot be nonsuited for proceeding with the complaint filed under [Section 138](#) of N.I. Act merely due to the fact that the cheques presented and dishonoured are shown to have been issued as security, as indicated in the loan agreement – In our opinion, such contention would arise only in a circumstance where the debt has not become recoverable and the cheque issued as security has not matured to be presented for recovery of the amount, if the due date agreed for payment of debt has not arrived

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**[2021 SCeJ 1252, \(2021-4\)204 PLR 687 \(SC\)](#)**