

Negotiable Instruments Act, 1881

Section 143 - Power of Court to Try Cases Summarily

1[143 . Power of Court to try cases summarily

(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), all offences under this Chapter sh all be tried by a Judicial Magistrate of the first class or by a Metropolitan Magistrate and the provisions of sections 262 to 265 (both inclusive) of the said Code sh all, as far as may be, apply to such trials:

Provided that in the case of any conviction in a summary trial under this section, it sh all be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year and an amount of fine exceeding five thousand rupees:

Provided further that when at the commencement of, or in the course of, a summary trial under this section, it appears to the Magistrate that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the Magistrate sh all after hearing the parties, record an ord er to that effect and thereafter recall any witness who may have been examined and proceed to hear or rehear the case in the manner provided by the said Code.

(2) The trial of a case under this section sh all, so far as practicable, consistently with the interests of justice, be continued from day to day until its conclusion, unless the Court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded in writing.

(3) Every trial under this section sh all be conducted as expeditiously as possible and an endeavour sh all be made to conclude the trial within six months from the date of filing of the complaint.

1. Sections 143 to 147 Inserted by Act 55 of 2002, sec. 10 (w .e.f. 6- 2- 2003).
