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IN THE HIGH COURT OF JUDICATURE AT BOMBAY.

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO. 258 OF 2015
WITH
CRIMINAL APPLICATION NO. 248 OF 2015
WITH
CRIMINAL APPLICATION NO. 257 OF 2015
WITH
CRIMINAL APPLICATION NO. 260 OF 2015
WITH
CRIMINAL APPLICATION NO. 261 OF 2015**

Raj Petro Sp. Pvt. Ltd.

... Applicant

Versus

State of Maharashtra and anr.

... Respondents

Mr. Mahesh Sabnis along with Ms. Dimple Shah for the applicants.

Mr. Sameer Chandurkar for respondent no. 2 in Cri. Application No. 248 of 2015.

Mr. D.R. More, A.P.P. for the State.

CORAM : M.L. TAHALIYANI, J.

DATED : JULY 20, 2015

P.C.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. These criminal applications challenge the orders passed by the Metropolitan Magistrate, 55th Court, 56th court, 70th court and 71st court, Mazgaon, Mumbai returning the complaints of the applicants filed against respondent no. 2 in all the applications, for being presented before the

appropriate court, in view of the judgment of the Hon'ble Supreme Court in the matter of **Dashrath Rupsingh Rathod Vs. State of Maharashtra**¹. The complaints have been returned to the applicant and they are physically in custody of the applicant.

3. In this regard, it may be mentioned here that the territorial jurisdiction to entertain the complaint under section 138 of Negotiable Instruments Act will now be decided according to the latest Ordinance. Admittedly, the complaints, according to the said Ordinance could not have been presented before the courts at Mazgaon.

4. The applicants are therefore at liberty to present the complaints returned by the courts of Metropolitan Magistrates, Mazgaon in the court having jurisdiction to try the complaints in accordance with the latest Ordinance amending the Negotiable Instruments Act. All the Criminal Applications stand disposed of accordingly.

(JUDGE)

1 (2014) 9 SCC 129