

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1394 OF 2015

Nilesh P. Patil

...Petitioner.

Versus

Kher Kanji Chhadva & Anr.

...Respondents.

Mr. V.V. Jain for the Petitioner.

Ms P.P. Bhosale, APP for Respondent No.2-State.

CORAM:-M.L. TAHALIYANI, J.

DATED :30th APRIL, 2015.

P.C.

Not on board. Taken on board on being mentioned on the ground of urgency.

2. Heard learned Advocate for the Petitioner. The Petitioner is facing trial for the offence punishable under section 138 of the Negotiable Instruments Act (hereinafter referred to as 'the Act'). He wanted the complaint to be transferred to Pune where the cheque was dishonoured. However, it is admitted position that affidavit of evidence of witnesses is filed in the Court. As such, stage of section 145 (2) of the Act has reached. Therefore, in view of the judgment of Hon'ble Supreme Court in the matter of **Dashrath Rupsingh Rathod**

Vs. State of Maharashtra¹, the case will be continued to be heard by the same Magistrate.

3. The writ petition is dismissed summarily.

(JUDGE)

¹ (2014) 9 SCC 129