

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1737 OF 2014

Rajendra Rasiklal Shah

..Petitioner

v/s.

Rajkumar T. Acchara & Anr.

..Respondents

Mr. Ramesh Soni i/b. Ram & Co. for the Petitioner.

Ms. Prabha Badadare i/b. M.K.Kocharekar, for the Respondent no.1.

Mrs. R.V.Newton, APP for the State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : OCTOBER 12, 2015.**

P.C.

1. By this petition, the petitioner is challenging the order dated 1st March, 2014 whereby the learned Addl. Sessions Judge-I, Nashik has dismissed the Criminal Revision Application No. 261 of 2013 and rejected the prayer of the petitioner for recall of process issued under Section 138 of the Negotiable Instruments Act.

2. Heard learned Counsel for the petitioner and the learned counsel for the respondent. It is brought to my notice that the evidence of the complainant is already recorded and the matter is

adjourned for further evidence. In the light of this fact, and also considering the grounds raised in the petition, in my considered view, this is a matter which needs to be decided on merits. Hence, the writ petition is dismissed. All points and contentions raised are kept open, to be adjudicated before the trial court.

(ANUJA PRABHUDESSAI, J.)