

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

CRIMINAL WRIT PETITION NO. 2862 OF 2015

Nayana Manohar Mainkar ... Petitioner

V/s.

The State of Maharashtra & Anr. ... Respondents

Ms. Swapna Kode i/b Mr. Kaushik M. Mhatre for the Petitioner.
Mr. Indrashyadri Vishnu Redkar for Respondent No.2.
Mr. A.S. Shitole, A.P.P. for the State.

CORAM : A. V. NIRGUDE, J.

DATE : 16th NOVEMBER, 2015.

P.C. :

Original accused filed this Petition challenging concurrent orders passed by the Courts below rejecting his application for obtaining handwriting expert's opinion on certain documents that are referred in the evidence. There are two documents on which the reliance was placed by respondent-complainant, one is promissory note and the other is a cheque. In the cross-examination of the complainant he admitted that handwriting on these two documents is different. Respondent-complainant is trying to prove that both these documents are executed by the petitioner-accused. In such situation, referring these two documents for handwriting expert's opinion is unnecessary. The Court while appreciating the evidence of the

respondent-complainant would draw its own conclusions in the light of difference of handwriting etc. In addition to this, petitioner which is accused before the trial Court is free to record his own deposition and that of his witnesses. The impugned orders, therefore, do not require any interference. Petition is disposed of.

(A.V.NIRGUDE, J.)