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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3613 OF 2014**

Wazir Financial Services Pvt.Ltd. ... Petitioner

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Ram Kotwal for the petitioner.

Mr.Satyavrat Joshi i/by M/s. Vidhi Partners for respondent no. 2.

Mr. V.B. Konde-Deshmukh A.P.P. for State.

**CORAM : M.L. TAHALIYANI, J.
DATED : MARCH 23, 2015**

P.C.

Admit. By consent taken up for final hearing.

2. Heard learned counsel for the petitioner, learned counsel for respondent no. 2 and learned A.P.P. for respondent no. 1.

3. It is to be noted that the Evening Courts are established mainly for the offences punishable under section 138 of the Negotiable Instruments Act. Learned Chief Metropolitan Magistrate on the contrary transferred cases pending in the evening court to the regular court. Learned Chief Metropolitan Magistrate should have realized that the regular courts are already

overburdened with the cases of serious offences like forgery and cheating which are not heard for years together. The regular courts are supposed to hear those serious cases which are not subject matter of the evening courts. In view thereof, the order of the learned Chief Metropolitan Magistrate is set aside. The following Criminal Cases pending before the Learned Metropolitan Magistrate, 23rd Court at Esplanade, Mumbai shall be transferred to the concerned Evening court with immediate effect.

Sr.No.	Complainant	Accused	C.C. Number
1	Wazir Financial Services Pvt.Ltd.	Birla Cotsyn (I) Ltd. & Ors.	3412/SS/2013
2	-----”-----	-----”-----	3413/SS/2013
3	-----”-----	-----”-----	36/SS/2013
4	-----”-----	-----”-----	447/SS/2013
5	-----”-----	-----”-----	160/SS/2013
6	-----”-----	-----”-----	3095/SS/2013
7	-----”-----	-----”-----	3097/SS/2013
8	-----”-----	-----”-----	3098/SS/2013

4. Parties to appear before the concerned evening court on 22nd April, 2015. Learned Magistrate shall see to it that the records and proceedings reach the evening court before 22nd April, 2015. Petition stands disposed of accordingly.

(JUDGE)