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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITIO NO. 4317 OF 2014**

Bishnupriya Jena

... Petitioner

Versus

Shri. Balaji Purushottam Chakale and anr.

... Respondent

Mr. Ashutosh S. Khandeparkar for the petitioner.

Mr. Mohd Umar Z. Kazi along with Shahzad Ansari for respondent no. 1.

Smt.P.P.Bhosale, A.P.P. for State.

**CORAM : M.L. TAHALIYANI, J.
DATED : MARCH 17, 2015**

P.C.

Admit. By consent of the parties taken up forthwith for final hearing. Heard learned counsel for the parties.

2. The grievance of the petitioner is that his prayer for sending the cheque for examination by the document examiner has been rejected by the learned trial Magistrate. The petitioner is facing trial for the offence punishable under section 138 of the Negotiable Instruments Act. It is submitted on behalf of the petitioner that the cheque was not signed by the petitioner and therefore, he was not liable for the offence for which he is charged.

3. I have heard the learned counsel for respondent no.1 and I have gone through the order passed by the learned Magistrate. It appears that the petitioner had not cross examined the witness of respondent no. 1 on that issue.

4. It appears that the application is made only to delay the trial. I do not find any substance in the petition. Petition is dismissed. Any observations made in this order shall not affect the trial pending before the Magistrate. Learned Magistrate shall not get influenced by any observations made in this order.

(JUDGE)