

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

CRI. WRIT PETITION NO. 4482 OF 2015

Mr. Mahendra G. Verma & Ors. ... Petitioners.

V/s.

Digital Signage Networks India Pvt. Ltd.,
& Ors. ... Respondents.

Mr. Mansha Khemka a/with Bhagyashree Upadhyay & Pinny
Pathak i/by Khemka & Associates for the Petitioners.

Ms. S. V. Gajare, APP for Respondent No.3-State.

**CORAM : A. V. NIRGUDE, J.
DATED : 20th NOVEMBER, 2015**

P.C. :

This writ petition deserves to be dismissed in limini. The Petitioners are the applicant-accused nos. 3, 4 and 7 in a criminal case filed under section 138 of the Negotiable Instruments Act, 1881. The complainant alleged that the present petitioners and other accused being Managing Director and Directors of the Company who had issued the impugned cheques were responsible for day-today affairs of the Company. Having regard to such statement, the court cannot assume and listen to the petitioners' defence at this stage that they were not Directors of the Company at the relevant time or that they

were not actively involved in the Company's business. It is a matter of evidence.

In the result, the petition is dismissed.

(A.V.NIRGUDE,J.)

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