

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

CRIMINAL WRIT PETITION NO.507 OF 2015

Arvind Dedhiya

..vs..

Subhash Dedhiya

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri J.B. Gandhi, counsel for the petitioner.

CORAM : V.M. DESHPANDE, J.

DATE : SEPTEMBER 21, 2015.

Heard.

By this petition, the petitioner challenges order passed below Exhs.51 and 66 by learned JMFC, Court No.2, Akola, whereby the applications filed by accused for calling the record/documents of Bank of Baroda along with account opening form and specimen signature and the documents relating to nature of account and receipt about issue of cheque book.

The complaint is filed against the present petitioner by the respondent for the offence under Section 138 of the Negotiable Instrument Act, is of the year 2011. The complainant has already filed his evidence on affidavit. He has also entered into the witness box and pending for his cross examination since 12.4.2013.

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In view of above, I find that learned trial Judge has rightly observed that since the complainant has examined himself and since then the matter is pending for cross examination, the defence of accused is yet to disclosed and, therefore, the application cannot be considered.

Hence, the writ petition is dismissed.

JUDGE

!! BRW !!

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