

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5704 OF 2015
(Gangamai Agro Trust Vs. Vishwas s/o Waman Patil)

Mr. P.B. Salunke, Advocate holding for Mr. S.B. Kakade,
Advocate for the applicant

CORAM : M.T. JOSHI, J.
DATE : 25/01/2016

ORAL ORDER :

1. Heard.

2. The record itself would reveal that without issuing any notice to the respondent, the complaint for the offence punishable under section 138 of the Negotiable Instruments Act was filed. The petitioner/complainant failed to argue the case when it was scheduled for the same. Further, the order of learned Judicial Magistrate First Class below Exhibit-39 would show that when the judgement was being delivered, at that time, the application for transfer of the proceeding was filed.

3. In the circumstances, I do not find any merit in the application. The application is, therefore, dismissed.

[M.T. JOSHI]
JUDGE