

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 96 OF 2016

IN

STAMP NUMBER MAIN NO. 1171 OF 2016

M/S. S.S. HITECH ENGINEERS, THR.
ITS PARTNER SHRI. SANTOSHKUMAR
SHARMA AND MISS. SHANTI N. REDDY.

... Applicant

Versus

M/S. G.C. ENGINEERING, THR. ITS
PROPRIETOR, SHRI. GOPAL CHOUDARY
AND ANR.

... Respondent

Mr. Deepak Gaonkar, Advocate for the applicant.
Mr. N. Takker, Advocate for the respondent no.1.

Coram:- C. V. BHADANG, J.

Date:- 28th June, 2016

P.C.

Heard the learned Counsel for the parties.

2. The learned Counsel for the respondent no.1 has no objection for paying the amount, which is lying before the learned Magistrate, to the petitioner.

3. In that view of the matter, the learned Counsel for the petitioner states that this Court may pass appropriate orders.

4. Having regard to the fact that the amount of subject cheque has already been deposited, which can be paid over to the complainant, I do not find that there is any reason to interfere with the impugned order date 29/01/2016, whereby the complaint filed is dismissed under Section 256 of Cr.P.C. on account of absence of the complainant. The petition is, accordingly, dismissed. The amount of

Rs.1,25,000/- along with interest, if any, shall be paid to the petitioner.

5. The petition is disposed of, in the aforesaid terms, with no order as to costs.

C. V. BHADANG, J.

SMA