

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

CRIMINAL WRIT PETITION NO.2195 OF 2015

Shri. Abhay Ramchand Shah & Ors. Petitioners

Vs.

The State of Maharashtra & Anr. Respondents

Mr. Pratap Patil, Advocate for the Petitioners.

Mr. Deepak Thakare, APP for the State of Maharashtra.

Mr. S.P. Kadam i/by Pandurang H. Gaikwad, Advocate for respondent
no.2

Coram : Smt. R.P SondurBaldota, J.

Date : 5th January, 2016

P.C.

1 This petition is directed against the order dtd. 25th March, 2013 passed by the trial Court issuing process against the petitioners in RCC No.222/2012 and the order dtd. 2nd May, 2015 of the Sessions Court, by which the Criminal Revision Application No.25 of 2013 filed by the petitioners to challenge the order of issuance of process was dismissed. Admittedly, the trial court had recorded evidence of the witnesses under Section 200 of Code of Criminal Procedure, as per the directions of the Sessions Court and after consideration of that evidence issued the process. The Sessions Court by the detailed order has dismissed the Revision Application. The reasons therefor are stated at paragraph 13 of the order. The Sessions

Court is seen to have applied it's mind to the evidence brought on record by the respondents for the purpose of issuance of process. On appreciation of the entire evidence, the learned Sessions Judge expressed his opinion that the offences as alleged are prima facie seen to have been made out. There are concurrent findings of the courts as regards the material on record against the petitioners for proceedings with the trial. I find no infirmity whatsoever with the view taken. Hence, the petition is dismissed.

(Smt. R.P. SondurBaldota, J.)