

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

CRIMINAL APPLICATION (APL) NO.75 OF 2016

(Khemchand s/o Gyanchand Adwani ..vs.. ICICI Bank Ltd. and another)

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

Court's or Judge's orders

Shri P.V. Kaore, Advocate for the applicant,
Shri N.S. Khubalkar, Addl.P.P. for the non-applicant No.2.

CORAM : Z.A. HAQ, J.

DATED : 03-05-2016

This matter was listed on 18-04-2016 and as none appeared for the applicant, it was adjourned for 03-05-2016.

Today when the matter is called out Shri P.V. Kaore, Advocate appeared and submitted that though his name appears alongwith Shri S.B. Chanchlani, Advocate, the papers are not with him but are with Shri S.B. Chanchlani, Advocate.

Shri N.S. Khubalkar, Additional Public Prosecutor has appeared for the non-applicant No.2-State of Maharashtra.

With the assistance of the learned Additional Public Prosecutor, I have examined the documents filed on the record.

The applicant has filed this application under Section 482 of the Code of Criminal Procedure praying that the criminal proceedings bearing S.C.C. No.18338/2015 filed by the non-applicant No.1 before the learned Magistrate, under Section 138 of the

Negotiable Instruments Act, be quashed.

In the complaint filed before the learned Magistrate, the non-applicant No.1 (complainant) has given the relevant details in paragraph No.7 and 8 which prima-facie show that the complaint filed by the non-applicant No.1 cannot be quashed at this stage.

The criminal application is dismissed.

JUDGE

pma