

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1923 OF 2017**

P. S. Vishwanath

..Petitioner

Vs.

Kirit T. Jain & Anr

..Respondents

Mr. N. S. Satpute for the Petitioner

Mrs. M. M. Deshmukh Addl PP for the Respondent State

**CORAM :R. M. SAVANT, &
SANDEEP K. SHINDE, JJ
DATE : 4th SEPTEMBER, 2017**

P.C.

1 The above Criminal Writ Petition seeks quashing of the proceeding being Criminal Complaint No.1836/SS/2016 pending before the Learned 70th Metropolitan Magistrate, Mazgaon, for the offence under Section 138 of the Negotiable Instruments Act. The Learned Counsel for the Petitioner states that the affidavit of evidence has been filed in the said proceeding. In view thereof, the relief sought by way of the above Criminal Writ Petition cannot be acceded to. The Petitioner would be at liberty to invoke the statutory remedies if any at the appropriate stage. With the aforesaid observations, the above Criminal Writ Petition is disposed of.

[SANDEEP K. SHINDE, J]

[R.M.SAVANT, J]