

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

WRIT PETITION NO. 2559 OF 2016

Shri. Annasaheb Sukhdeo Maske ... Petitioner

vs.

Shri. Shashikant Dnyaneshwar Potdar
& anr. ... Respondents

Mr. U. R. Agandsurve, Advocate for the petitioner.
Mr. V. V. Gangurde, A.P.P. for respondent no.2/State.

Coram : Smt. R. P. SondurBaldota, J.
Date : 4th January, 2017

P.C. :

1. This petition challenges the order dated 16th October, 2015, by which the Judicial Magistrate First Class, Pandharpur, dismissed the petitioner's application at Ex. 69. The application was for an adjournment for complying with the procedure for sending the cheque in question to the handwriting expert for his opinion in respect of the handwriting thereon and age of the ink on the cheque. The petitioner had filed the application at Ex. 60 in respect thereof in the month of January-2016 and the same was allowed by the order dated 8th January, 2016, the application had been made at a belated stage i.e. of cross-examination of the complainant. Nonetheless, the trial Court allowed the application by it's order dated 8th January, 2016. The petitioner did not comply with the requisites in the order. He

merely sought extensions which were granted to him on 18th March, 2016 and on 7th May, 2016. Further extension thereafter has been refused by the trial Court.

2. Perusal of the record shows that the petitioner has not made out any case whatsoever for not complying with the order dated 8th January, 2016. Under that order he was to furnish the specimen of his handwriting and the signatures to the Forensic Laboratory at Pune. Since almost an year has passed from the date of order, the trial Court has refused further extension.

3. There is no infirmity whatsoever in the impugned order. The petitioner has not made out any explanation for failure to forward his specimen signature and handwriting to the Forensic Laboratory in compliance with the order dated 8th January, 2016. Hence, the petition is dismissed with costs. The petitioner shall pay costs quantified at Rs.10,000/- by depositing the same with the High Court Legal Services Authority.

[Smt. R. P. SondurBaldota, J.]