

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 681/2017

(GHRUSHNESHWAR SUGARS PVT.LTD. & OTHERS **VERSUS** THE STATE OF MAHARASHTRA &
ANOTHER)

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

Court's or Judge's orders

Shri Y.Kakade and Shri P.J. Mehta, counsel for the petitioners.
Shri A.M. Joshi, A.P.P. for the respondent/State.

CORAM : SMT. VASANTI A NAIK AND
M.G. GIRATKAR, JJ.

DATE : AUGUST 11, 2017.

By this criminal writ petition, the petitioners seek the quashing and setting aside of the complaint bearing S.C.C. No.1792 of 2017 pending before the learned Judicial Magistrate First Class, Akola for the offence punishable under Section 138 of the Negotiable Instruments Act.

It is stated on behalf of the petitioners that though the person who had signed the cheque that was dishonoured was not the Director of Ghrushneshwar Sugars or Samruddhi Sugars, the learned Judicial Magistrate First Class has wrongly issued the process against the petitioners.

It is stated on behalf of the respondent no.1 by the Additional Public Prosecutor that the petitioners have an alternate remedy of challenging the order issuing the process, if the petitioners are aggrieved by the issuance of process.

In the circumstances of the case, we are not inclined to entertain the writ petition as the petitioners have a remedy of filing a revision against the order of issuance of process.

We, therefore, dispose of the writ petition by keeping the points raised in the same, open.

JUDGE

JUDGE

APTE