

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

WRIT PETITION No. 138 OF 2018

Vijaykumar Gorkhanath Mohite

...Petitioner

Vs.

Mahade Balku Bhosale and Anr.

...Respondents

Mr. M.B. Deshmukh, Advocate for the Petitioner
Mr. Vikas Kolekar, Advocate for Respondent No.1
Mr. P.H. Gaikwad, APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: MARCH 19, 2018

P.C.

1. The order impugned rejecting the prayer of the Petitioner -Accused for issuing witness summons to the Co-operative Officers, who is working as a Liquidator, in my view, does not warrant any interference at this stage of the proceeding.
2. The interest of the Petitioner-Accused can be taken care by permitting him to apply for certified copy of the relevant documents from the said officer. The Petitioner shall make such an application within a period of two weeks from today. The Co-operative Officer shall make every endeavor to supply the documents within a period of three weeks thereafter.

3. The Petitioner, thereafter, shall enter into the witness box. It is, thereafter, he is at liberty to move a fresh application for summoning such Co-operative Officer who is acting as a Liquidator. If such an application is moved by the Petitioner after complying with the above observation, the Trial Court shall deal with the same in accordance with law without being influenced by the findings recorded hereinabove.

4. The petition stands disposed of in the aforesaid terms.

[NITIN W. SAMBRE, J.]