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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.841 OF 2018

CRIMINAL WRIT PETITION NO.842 OF 2018

CRIMINAL WRIT PETITION NO.843 OF 2018

CRIMINAL WRIT PETITION NO.844 OF 2018

CRIMINAL WRIT PETITION NO.845 OF 2018

CRIMINAL WRIT PETITION NO.846 OF 2018

CRIMINAL WRIT PETITION NO.847 OF 2018

CRIMINAL WRIT PETITION NO.848 OF 2018

Pankaj Tukaram Bagal

..Petitioner.

V/s.

The State of Maharashtra & Anr.

..Respondents.

Mr.M.R.Bodke for the petitioner in all the petitions.

Mr.S.R.Shinde, APP for the respondent in all the petitions.

CORAM: NITIN W.SAMBRE, J.

DATE : MARCH 9, 2018

PC.:-

Heard respective parties.

2. The trial in the offence punishable under section 138 of the Negotiable Instruments Act, 1881 ('the N.I. Act' for short) has reached a concluding stage, when the accused, perhaps with an intention to prolong the trial raised a ground in an application seeking shelter of section 142A of the N.I. Act for dismissal of the prosecution for want of jurisdiction.

3. At the outset, it is to be noted that the prosecution was initiated prior to the date of amendment *viz.* section 142A of the N.I. Act.

4. Apart from above, it is to be noted that the object with which a statute or provision is enacted, particularly section 142A of the N.I. Act cannot be read to the detriment of the complainant.

5. This Court need not to interfere with the jurisdiction of the learned Magistrate as the Magistrate has power to entertain the proceedings as reflected in sub-sections (2) and (3) of section 142A of the N.I. Act 1881.

6. In that view of the matter, I hardly notice any illegality in the orders impugned.

7. All the writ petitions, as such, stand dismissed.

(NITIN W.SAMBRE, J.)