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

WRIT PETITIOIN NO.1079 OF 2004

THE STATE OF MAHARASHTRA .

..PETITIONER

Vs

RATANLAL PARASRAMPURIA

SANJAY PARASRAMPURIA

..RESPONDENTS

Mr. S.S. Hulke for Petitioner/State.

CORAM : A.S.GADKARI, J.

DATE : 12th September 2018.

P.C.:

1] By the present petition, the State has challenged the Judgment and Order dated 18.08.2003 passed by the learned Ad-Hoc Additional Sessions Judge, Alibaug, District Raigad in Criminal Revision Application No.1 of 2003, thereby allowing the Revision and discharging the respondents from the offences punishable under sections 420, 114 read with 34 of the Indian Penal Code and under section 138 of the Negotiable Instruments Act.

2] Heard the learned APP for Petitioner State at length. Perused the record.

3] The record indicates that, as the negotiable instrument given to the first informant Shri Ravindra Patil was dishonoured and the limitation as contemplated under Section 142 of the Negotiable Instruments Act was over, the first informant lodged the present crime under sections 420, 114 read with 34 of the Indian Penal Code and under section 138 of the Negotiable Instruments Act. The Police after investigating the same have submitted the final report. The learned Judicial Magistrate First Class, Alibaug, Raigad was pleased to reject the application preferred by the respondent under section 239 of Cr. P.C. against which the respondents preferred a Criminal Revision bearing No.1 of 2003 which has been allowed by the impugned Judgment and Order dated 18.08.2003 by the learned Ad-Hoc Additional Sessions Judge, Alibaug-Raigad.

4] Perusal of the impugned Judgment and Order would indicate that, as the period of limitation under the provisions of Negotiable Instruments Act had come to an end, the first informant Mr. Ravindra Patil chose to file first information report with the police under the aforesaid sections.

After perusing the impugned Judgment and Order, this Court is

of the considered view that the Revisional Court has taken into consideration all the relevant aspects of the matter and was pleased to quash and set aside the proceedings against the respondents. This Court finds that, no error is committed by the Revisional Court, either in law or on facts while passing the impugned Judgment and Order.

5] Petition being devoid of any merits, is accordingly dismissed.

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(A.S.GADKARI, J.)