

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

**WRIT PETITION NO.3131 OF 2015
WITH
WRIT PETITION NO.3132 OF 2015
WITH
WRIT PETITION NO.3133 OF 2015**

Alok Sharma and others.

...Petitioners.

vs.

The State of Maharashtra and anr.

...Respondents.

Mr. Manish Bohra with Mr. Ujjwal Gandhi i/by A.S.Khan and Associates for the petitioners.

Mr. S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 27th September, 2018

P.C.:

1. Heard the learned counsel for the petitioners.
2. The record indicates that respondent No.2 is duly served. Despite service none appears for respondent No.2.
3. The petitioners are accused Nos. 4 to 8 in CC Nos. 105/SS/2014, 330/SS/2014 and 331/SS/2014 respectively. The petitioners are admittedly independent Directors of the company namely Glodyne Technoserve Ltd. It is submitted by the learned counsel for the petitioners that they have nothing to

do with the day to day affairs of the company and they were not in any manner responsible for the business and conduct of the company and are not guilty of the offence punishable under Section 138 of the Negotiable Instruments Act.

This Court in Criminal Writ Petition No.834/2014 and other allied petitions filed by the petitioners herein by its Order dated 10.2.2015 has quashed the Criminal Cases instituted against the petitioners on the said ground. The facts mentioned in the present petitions are identical to that as has been mentioned in Order dated 10.2.2015 passed by this Court in W. P. No.834 of 2015 and other allied writ petitions.

4. In view of the said Order dated 10.2.2015, the present petitions deserve to be allowed and the prosecutions pending against the petitioners in CC Nos. 105/SS/2014, 330/SS/2014 and 331/SS/2014 mentioned herein above stands quashed. The bail bonds if any executed also stands cancelled.

5. Petitions are allowed in the aforesaid terms.

(A.S.GADKARI, J.)