

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO.5099 OF 2018**

Nitin Chandrakant Desai. ] ... Petitioner

Versus

The State of Maharashtra & Ors. ] ... Respondents

Mr. Chaitanya Chavan i/b Mr. Rohan Samant for Petitioner.  
Mr. Deepak Thakare, PP a/w Smt. S. D. Shinde, APP for State -  
Respondent Nos.1 & 2.

**CORAM :- B. P. DHARMADHIKARI &**  
**SARANG V. KOTWAL, JJ.**  
**DATE :- DECEMBER 14, 2018**

**P. C. :-**

1. Heard respective Counsel.
2. The complainant was presented a cheque for payment of his dues. That cheque has been dishonoured. Explanation of the Petitioner is he was keeping blank signed cheques in his office for use during his absence. It is further explained that the cheque dishonoured in April 2018 pertains to a bank account which was closed in October 2017.

3. In extraordinary jurisdiction, we are not inclined to accept this defence and quash the FIR.

4. We keep all contentions open and dispose of the present petition.

**(SARANG V. KOTWAL, J.)**

**(B. P. DHARMADHIKARI, J.)**