

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 203 OF 2018

**HARISHCHANDRA LEKHRAJ MELWANI AND
ANR.,** ... Petitioners

Versus

GANESH SHIRODKAR., ... Respondent

Mr. Amay Arjun Phade, Advocate for the Petitioners.
Mr. Kamlakant Poulekar, Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 13th March 2019

P.C.

By this petition, the petitioners are challenging three orders. The first of such order is dated 25.10.2017 passed by the learned Judicial Magistrate First Class at Mapusa by which an application for discharge filed by the petitioner no.2(Accused no.2) under Section 245 of Cr.P.C. has been dismissed. The petitioners challenged the said order before the learned Sessions Judge in Criminal Revision Application No.118/2017 which was dismissed by the learned Sessions Judge on 27.04.2018. This is the second order which is subject matter of challenge. The third order is dated 11.03.2016 by which process has been issued against the petitioners under Section 138 of the Negotiable Instruments Act.

2. On hearing the learned Counsel for the parties, it transpired that the petitioners in so far as the third order is concerned i.e. dated 11.03.2016 did not approach the learned Sessions Judge. Be that as it may, it also transpires that the evidence in the complaint filed by the respondent no.1 has started and the complaint which is of the year 2014, which is otherwise to be tried in a summary manner, can be disposed off in a time bound manner.

3. Taking an overall view of the matter, I am not inclined to interfere with the impugned orders as passed. The petition is accordingly dismissed.

4. The learned Magistrate shall decide the complaint as expeditiously as possible and preferably within a period of six months from the receipt hereof. The parties to co-operate for the time bound disposal of the complaint.

C. V. BHADANG, J.

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