

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

CRIMINAL APPLICATION NO. 628 OF 2018

Mr.Karthikeyan Palmanickam

...Applicant

Versus

Smt.Meenakshi Karthikeyan

...Respondent

Mr.Nikhilesh Pote I/b. Mr.Sathyanarayanan for the Applicant.
Mr.Shivanand Marbe i/b. Mr.Sushil Nimbkar for Respondent No.1.
Mrs.Rutuja Ambekar, APP for the Respondent -State.

CORAM : S.S. SHINDE, J.

DATE : 16th SEPTEMBER 2019

P.C.:

1. This application takes an exception to the order dated 20.03.2018 passed by learned Judicial Magistrate First Class, Pimpri thereby rejecting the application filed by the applicant.

2. Learned Counsel appearing for the applicant submits that it is true that first respondent was examined and cross-examined. However, after her evidence is over, the Bank Manager has submitted record and in the context of the said record, the applicant wish to cross-examine the first respondent. At the time of earlier cross-examination of first respondent, all the relevant records, which is submitted by the Bank Manager, are not available and, therefore, the

applicant may be given one opportunity to cross-examine the first respondent.

3. On the other hand, learned Counsel appearing for first respondent vehemently opposes the prayer of the applicant. He submits that first respondent was examined and cross-examined even on the financial aspects and including certain fixed deposits. He further submits that the applicant is trying to prolong the pending proceedings and hence, he prays that the application may be rejected.

4. Upon hearing learned Counsel appearing for the parties and upon perusal of observations made by the learned Magistrate in paragraph No. 7 of the impugned order, this Court is of the opinion that the prayer of the applicant deserves no consideration. First respondent has already been examined and cross-examined on the financial aspects and including certain fixed deposits. In that view of the matter, Criminal Application stands rejected.

(S.S. SHINDE, J.)