

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4471 OF 2019

SUNIL PANDURANG MANTRI)...PETITIONER

V/s.

SANJAY RAM HINGORANI AND ORS.)...RESPONDENTS

Mr.Prathamesh Samant, Advocate for the Petitioner.

Mr.R.M.Pethe, APP for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 23rd JANUARY 2020

P.C. :

1 Heard.

2 I see no merit in this writ petition because after death of the original complainant in a prosecution for the offence punishable under Section 138 of the Negotiable Instruments Act, Sanjay Ram Hingorani claiming to be his sole surviving legal heir had filed an application for substitution by placing the Death

Certificate of the original complainant Ram Thakurdas Hingorani on record. By directing him to give declaration that he is the sole surviving legal heir of the deceased, he was permitted to be substituted in place of original complainant.

3 The learned counsel for the petitioner herein i.e. the original accused contended that apart from mere application, no documentary evidence is placed on record to show that said Sanjay Ram Hingorani is the sole surviving legal heir of the deceased complainant. No such documents were really required for allowing the application for substitution.

4 The petition, therefore, fails, and the same is dismissed.

(A. M. BADAR, J.)

**Arti V.
Khatate**

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