

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5199 OF 2019

National Machinery Mart	...	Petitioner
Versus		
Anchor Electricals Pvt. Ltd. & Anr.	...	Respondents

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Mr.Ashok Kumar Dubey with Mr.Anil Kumar and Mr.Dhiraj Kamble
i/b. Savj Law Solution, Petitioner in person is present.

Mr.Sandeep R. Karnik, Advocate for the Respondent No.1.

Mr.R.M.Pethe, the Additional Public Prosecutor for the Respondent No.2/State.

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CORAM : A.M.BADAR J.

DATED : 10th FEBRUARY 2020.

P.C. :

1 After hearing the learned Counsel for the petitioner at sufficient length of time, I see no merit in the petition. Order passed below an application for exemption claimed by the accused before the learned trial Court is sought to be challenged in this petition. The learned trial Magistrate had granted exemption to

the accused from his personal appearance, however, subsequently directed to deposit an amount of 20% of the cheque amount as per the statutory provisions of the Negotiable Instruments Act, 1881.

2 It is sought to be contended that stale cheque was used for filing the complaint and it was sought to be recalled by the accused. If that is so then that constitute the defence during the trial. No interference is warranted in the impugned Order. The petition fails and therefore, the same is disposed.

(A.M.BADAR, J.)

**Raju D.
Gaikwad**

Digitally signed by
Raju D. Gaikwad
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