

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

26. CRIMINAL WRIT PETITION NO. 312 OF 2020

**NAGNATH LAXMAN PATIL
VERSUS
RAMESH VISHWANATHAPPA MUKTA**

...
Advocate for the Petitioner : Mr. V.C.Solshe
Advocate for Respondent ... : Mr. M.L.Dharashite

...
CORAM : N.R. BORKAR , J.

DATE : 11th October, 2021.

P. C. :

1. This petition takes an exception to the order dated 12.12.2018 passed by the JMFC AUSA. The respondent herein has filed a complaint case against the present petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act.

2. The petitioner moved an application at Exh. 67 for sending the cheque in question to the hand writing expert. According to the petitioner a blank cheque was issued to the respondent towards security.

3. Application at Exh. 67 came to be moved on 26.10.2018 i.e. four years after filing of the complaint and that too after the evidence of the respondent/complainant was over. Admittedly the

petitioner has not disputed his signature on the cheque in question.

4. No interference is thus called for in the order impugned, in writ jurisdiction.

5. Petition is dismissed.

(N.R. BORKAR)
JUDGE

mahajansb/