

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

WRIT PETITION NO.3375 OF 2021

Nimit @ Arjun Kapoor

... Petitioner

Vs

Farnaz Advertising LLP.

... Respondents

...

Mr. Hrishikesh Chitale with Mr. Hitesh B. Sangle for the
Petitioner.

Mr. S.S.Hulke, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.

DATE : SEPTEMBER 29, 2021.

P.C. :

Heard.

2 In terms, the petition challenges the order of
'issue process' for the offence punishable under
Section 138 of the Negotiable Instruments Act, 1881
passed by the Metropolitan Magistrate, 28th Court,
Esplanade, Mumbai. I do not see any reason to
entertain this Writ Petition when efficacious remedy is
available to the petitioner.

3 In view of matter, the learned counsel for the petitioner on instructions seeks leave to withdraw the petition with liberty to file appropriate proceedings in the Court of competent jurisdiction. If such proceedings are filed along with the application for condonation of delay, the learned Judge shall decide the application keeping in view, the provisions of Section 14 of the Limitation Act, 1963.

4 Writ petition is disposed off in the aforesaid terms.

(SANDEEP K. SHINDE, J.)