

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Writ Petition No. 6131 / 2021

Alongwith

Writ Petition No. 6144 / 2021

And

Writ Petition No. 6148 / 2021

M/s Prem Industries and Anr. .. Petitioners

Versus.

State of Maharashtra and Anr. .. Respondents

Mr. Atal Bihari Dubey a/w Arvind Tiwari a/w Mr. Gaurav Pandey a/w Mr. Rahul Mishra, Advocate for the Petitioner.

Mr. J.S. Kini a/w Shweta Jain i/by Ms. Sapna Krishnappa, Advocate for Respondent No.2.

Mr. A.D. Khamkhedkar, APP for State in WP-6131/2021.

Ms. S.V. Sonawane, APP for State in WP-6144/2021.

Ms. M.R. Tidke, APP for State in WP-6148/2021.

CORAM : SANDEEP K. SHINDE J.

DATE : 22nd DECEMBER, 2021.

P.C. : -

1. That in exercise of the powers under Section 148 of the Negotiable Instruments Act, 1881 the learned

Appellate Court directed the Petitioners-Appellants to deposit 50% of amount of the compensation, awarded by the trial Court.

2. Feeling aggrieved by that orders, these petitioners are preferred.

3. Heard. Learned Counsel for the parties.

4. The learned Judge, in exercise of discretionary jurisdiction under Section 148 of the N.I. Act, directed the Petitioners to deposit amount of compensation, in excess of 20% for the reasons, provided therefore. In that view of the matter, I do not see any reason to interfere with the impugned order in the supervisory jurisdiction. Therefore, petitions are rejected. However, on an assurance by the Petitioners, that they shall deposit 50% of the compensation in the trial Court within two months from today i.e. on or before 1st March, 2022, the impugned orders stand modified only to that extend.

5. Petitioner shall file undertaking in terms of the assurance in this Court within two weeks from today.

6. Petitions are disposed of in the aforesaid terms.

(SANDEEP K. SHINDE, J.)

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