

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1513 OF 2019

Dnyaneshwar Kashinath Kolte

..PETITIONER

VERSUS

Deogiri Nagari Sahakari Pat Sanstha Ltd.,

..RESPONDENT

Mr. R.V. Gore, Advocate for petitioner

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CORAM : R.G. AVACHAT, J.

DATED : 18th APRIL, 2022

PER COURT :

1. Heard.

2. The challenge in this petition is to the order of issuance of process dated 19th November, 2018. The challenge is mainly on the ground that reasoned order has not been passed. The order impugned herein reads thus :-

“Perused complaint, affidavit of verification and documents filed on record. Heard advocate for complainant. On the perusal of the contents of the complaint and documents on record, it appears that there is sufficient ground for proceeding and prima facie case is made out against accused for the offence punishable under section 138 of N.I Act. Hence, issue process against accused accordingly on P.F.”

3. Nothing more has been argued. The order impugned herein has been passed after having gone through the affidavit filed by the complainant in support of the complaint. The documents accompanied with the complaint have also been perused and then only the process has been issued for the offence under Section 138 of the Negotiable Instruments Act. As such, there is no merit in the contentions made by the learned counsel.

4. In view of above, criminal writ petition is dismissed.

(R.G. AVACHAT, J.)

SSD