

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

CRIMINAL WRIT PETITION NO. 1480 OF 2022

Balaji Suryabhan Kerai

.. Petitioner

Versus

Sachin Gangadhar Pandit

.. Respondent

Mr. Mahesh K. Bhosale, Advocate for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATED : 29th NOVEMBER, 2022.

P C. :-

1. This petition is filed challenging the order passed below Exhibit 42 in S.C.C. No. 275/2016 wherein, application seeking to correct the name of the accused came to be allowed in the proceeding filed under Section 138 of the Negotiable Instruments Act (for short "N. I. Act"). The order is passed by the learned J.M.F.C., Jintur dated 08.07.2022 in S.C.C. No. 275/2016. The complainant has moved an application below Exhibit 42 wherein, it is held that, initially the name of the accused was shown as Balaji Suryabhan Chavan, however, later on it transpired that in the account the name come as Balaji Suryabhan Kerai. The accused was taken a defence that he is not the person in whose name account is standing in the bank. In view of this, the complainant filed an application for correcting the name.

2. By going through the order, this Court does not find any illegality committed by the learned Trial Judge. By now it is settled that, the name of the accused can be corrected in the proceeding filed under Section 138 of the N.I. Act. This Court also does not find that, the Court has failed to exercise the jurisdiction. No case is made out to call interference under Article 227 of the Constitution of India. The writ petition is thus fails and is disposed of accordingly.

(KISHORE C. SANT, J.)

RS.B.