

Versus

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Mr. Purushottam G. Chavan i/b Mr. Vijay Killedar for the Petitioner.
Mr. Y. Y. Dabke, APP for the State.

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DATE : 20 July 2022.

P.C. :-

1. This Petition takes exception to the order dated 21.11.2014 passed below Exhibit-22, 23 and Exhibit-29 to 40 in Summary Criminal Case No. 164/2014.
2. The Respondent herein had filed a complaint case against the present Petitioner for the offence punishable under Section 138 of the Negotiable Instrument Act.
3. It appears that by applications at Exhibit-22 and 23 the Respondent No. 1 sought permission to produce certain documents. The learned trial court by the order impugned allowed production of the said documents. It further appears that trial Court thereafter

exhibited the said documents and assigned them Exhibit- 29 to 40.

4. The learned Counsel for the Petitioner submits that no opportunity was given to the present Petitioner/Accused to file reply to the application at Exhibit-22 and 23. It is submitted that the trial Court ought not to have allowed the production of documents and they ought not to have been marked exhibits.

5. It appears from the order passed below Exhibit-23 that the trial Court allowed the production of documents without prejudice to the rights of the other side.

6. As regards the contention that the documents at Exhibit-29 to 40 ought not to have been admitted in evidence and marked exhibit, the Petitioner is at liberty to raise the said contention before the trial Court at the time of final hearing.

7. The present Petition is disposed of in above terms.

(N.R. BORKAR, J.)