

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 889/2022

(Shri Abhishek Steel & Power Ltd. & ors. Vs. Haldiram Foods International Pvt. Ltd)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C. B. Dharmadhikari, Advocate for applicants.
Mr. Dara Singh, Advocate for non-applicant.

CORAM : VINAY JOSHI, J.
DATED : 06/10/2022.

Heard.

2. This is an application of accused Nos. 1, 2 and 4 of Criminal Complaint Case No. 1599/2013 raising a challenge to the maintainability of complaint for the offence punishable under Section 138 of the Negotiable Instruments Act ('N. I. Act').

3. Upon instructions, the learned counsel for applicant seeks for withdrawal with limited directions to the Trial Court to decide the case expeditiously.

4. The learned counsel appearing for the non-applicant/complainant would submit that the learned Magistrate has issued process against the accused No. 1 – Company only and therefore, they filed criminal revision in the Sessions Court seeking issuance of process against remaining accused Nos. 2 to 4 of the complaint. It is stated that in the said revision, accused Nos. 2 to 4 avoided to appear and therefore, they be directed to remain present in the revision.

5. Since the complaint is of the year 2013, the Trial Court shall expedite the proceeding. The applicant Nos. 2 and 3 who are before this Court (Accused Nos. 2 and 4 of complaint) are directed to give their appearance in Criminal M.A. No. 213/2022 pending at Sessions Court which is filed along with revision, on the next date which is informed to be fixed on 04.11.2022.

6. Application stands disposed of since withdrawn.

(VINAY JOSHI, J.)

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