

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

**CRIMINAL WRIT PETITION NO. 41 OF 2022**

**Ramesh Raja Ujagare..Versus...Mohammad Sadiq Abdul Samad and anr**

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

Court's or Judge's orders

None for the petitioner  
 Mr. A.R.Chutke, APP for respondent No. 2/State

**CORAM : AVINASH G. GHAROTE, J.**

**DATE : 03/03/2022**

1] None for the petitioner. Learned APP for Respondent No. 2/State.

2] The petition challenges the order dated 6.12.2019 passed by the learned JMFC, who by relying upon **Dashrath Rupsingh Rathod vrs. State of Maharashtra (2014) 9 SCC 129** has returned the complaint under Section 138 of Negotiable Instruments Act, which was filed at Risod, for presentation to the proper Court at Parbhani on the ground that the cheque in question was drawn on the Union Bank of India, Parbhani. The said order came to be challenged in revision, in which the learned Sessions Court by following the judgment in **Bridgestone India Private Limited vrs. Inderpal Singh (2016) 2 SCC 75**, wherein after considering **Dashrath Rupsingh Rathod** (supra) it has been held that the amendment by way of Section 142 (2) of the N.I. Act, had

retrospectivity and so also by considering Section 142(2) of the said Act has held that the Court where the cheque in question was presented for realization would have jurisdiction, has allowed the revision and set aside the order of the learned JMFC.

3] In my considered opinion, the position stands covered by **Bridgestone India Private Limited** (supra), in view of which I do not see any merit in the petition. The same is dismissed.

**JUDGE**

**Rvjalit**