

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

CRIMINAL WRIT PETITION NO. 19 OF 2023

Balaji Venkatrao Bachewar .. Petitioner

Versus

Sailu Babanna Atpalwar .. Respondent

Mr. Umakant B. Deshmukh, Advocate for the Petitioner.

Mr. I. D. Maniyar, Advocate for Respondent.

WITH

CRIMINAL WRIT PETITION NO. 20 OF 2023

Balaji Venkatrao Bachewar .. Petitioner

Versus

Venkatrao Malikarjun Sawarmalkar .. Respondent

Mr. Umakant B. Deshmukh, Advocate for the Petitioner.

Mr. Yashwant P. Jadhav, Advocate h/f Mr. R. B. Dhaware, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 13th APRIL, 2023.

P C. :-

. The only grievance raised in the petitions is that the petitioner-accused facing prosecution under Section 138 of the Negotiable Instruments Act is not provided with all the documents relied upon in the complaints.

2. Learned advocate for respondents from the statement of the accused at the stage of recording plea pointed out that, he has answered the question in affirmative as to whether he has received the copy of complaint and connected documents.

3. Learned advocate for the petitioner submits that, he was served only with the copy of summons without complaints and annexures. However, because of lack of knowledge he has answered yes at the time of recording of plea.

4. This Court feels that, instead of going into the disputes, it would be suffice if the learned Trial Court is directed to ensure that the accused gets all the copies.

5. The learned Trial Court to permit the petitioner-accused to take photocopies of all the documents in the Court in Summary Criminal Case No. 459/2016 and Summary Criminal Case No. 395/2016.

6. The respondents are directed to supply the copies of the entire complaints and documents in the learned Trial Court. The learned Trial Court to ensure that this exercise is done within a period of two (02) weeks from the date of receipt of the order before the learned Trial Court.

7. Learned advocate for the respondents/complainants submits that, the complaints are pending since the year 2016 and prays for direction to the learned Trial Court to expedite the hearing.

8. Considering this, it is expected of the learned Trial Court that the Court of learned J.M.F.C., Degloor to decide the complaints - Summary Criminal Case No. 459/2016 and Summary Criminal Case No. 395/2016 as expeditiously as possible and preferably within a period of six (06) months from today.

9. With this, both the criminal writ petitions stand disposed off.

(KISHORE C. SANT, J.)

P.S.B.