

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

**CRIMINAL APPLICATION NO.189 OF 2020
WITH
CRIMINAL APPLICATION NO.221 OF 2020**

**CHAKRADHAR S/O. SAHEBRAO KOLHE
VERSUS
SHAKUNTALA W/O. SHASHIKANT PHATAK**

Mr. M. S. Karad, Advocate h/f Mr. S. S. Thombre, Advocate for the applicant

Mr. R. S. Deshmukh, Senior Advocate i/b Mr. D. V. Tele, Advocate for the respondent

**CORAM : R. M. JOSHI, J.
DATE : 31st JULY, 2023**

P.C. :-

1. Heard.
2. These applications take exception to orders dated 02/01/2020 passed in SCC No. 627/2018 and 628/2018 rejecting applications moved under Section 258 of Cr.P.C. for stay of the proceeding.
3. Learned Senior counsel for the respondent has placed on record judgment of the Full Bench of the Hon'ble Apex Court in ***Suo Motu Writ Petition (Cri.) No. 2 of 2020 decided on 16/04/2021*** reported in ***AIR 2021 SCC 1957*** it is held that the power to stop

proceedings under Section 258 of the Code is not applicable to the complaint under Section 138 of N.I. Act In view of this judgment (cited supra) there is no infirmity in the impugned order passed by the Trial Court. Hence applications stand dismissed.

(R. M. JOSHI, J.)

ssp