

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 221 OF 2022

RAJENDRA NARAYAN HARDE

VERSUS

RATAN BAJIRAO INGLE

...

Advocate for Petitioner : Mr. Panchal Balaji A.

Advocate for Respondent : Mr. Anand V. Patil

...

CORAM : KISHORE C. SANT, J.

DATE : 16th FEBRUARY 2023.

Per Court :

Heard.

1. Last time, this Court had expressed if the petitioner is ready to deposit 10% of the amount of the cheque, this Court would consider the matter. Today, learned Advocate makes a statement that his client is ready to deposit 10% amount of the cheque towards costs to the respondent. The learned Advocate of the respondent accepts to allow the petition with condition that the proceeding be disposed off at the earliest and the application for recalling of the witnesses filed by the accused below Exhibit-51 in S.C.C. No.909/2014 stands allowed subject to following conditions :

- (i) the petitioner shall deposit 10% of the cheque amount i.e. Rs.15000/- within two weeks from today in the trial Court to be paid to the Complainant.
 - (ii) The accused shall keep all his witnesses present on one day and he should examine them in a day.
 - (iii) No further chance be given to the accused.
 - (iv) The trial Court is requested to make an endeavor to dispose off the proceeding as early as possible and preferably within six months from today.
2. It is made clear that this order is passed on concession of the parties.
 3. The deposit of costs shall be condition precedent.
 4. The order dated 01.02.2020 passed by the JMFC, Kannad in S.C.C. No.909/2014 is quashed and set aside.
 5. The Writ Petition is disposed off in the aforesaid terms.

[KISHORE C. SANT, J.]

Najeb.