

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2174 OF 2022

Vishwanath Ambadas Dussa .. Petitioner
v/s.
Laxminivas Narsingdas Through Its Prop.
Laxminivas Narsindas Kalani And Anr. .. Respondents

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Mr. Ajit V. Alange, for the Petitioner.

Mr. Dnyaneshwar Jadhav, i/b. Legasis Partners, for the Respondent.

Mr. Arfan Sait, APP, for State.

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CORAM: R.G. AVACHAT, J.

DATE : 23 JANUARY 2023.

P.C:-

Heard.

2. The challenge in this petition is to the order dated 1st January 2020 passed by Sessions Judge, Solpaur, rejecting the application for transfer of Summary Criminal Case No.5326 of 2014 and Summary Criminal Case No.894 of 2015 to one Court for trial in accordance with law.

3. It appears these are the cases arising out of proceedings

under Section 138 of the N.I. Act. The parties to both the proceedings are same. Whether the cheques issued arise out of one and the same transaction, is a matter in dispute.

4. This Court is inclined to see that both the cases are heard and decided independently, simultaneously by one and the same court of JMFC at Solapur. The latter case, i.e. SCC No.894 of 2015, therefore, stands transferred to the Court seized of SCC No.5326 of 2014. The trial court shall decide both the cases simultaneously but independently. The trial court is expected to decide the matter within period of 10 months from the date of receipt of copy of this order.

5. Petition stands Disposed of.

(R.G. AVACHAT, J.)