

Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.1350 OF 2023

Raju Roshanilal Badala (Jain) ... Petitioner
V/s.
The State of Maharashtra and Anr ... Respondents

**WITH
INTERIM APPLICATION NO.1244 OF 2023
IN
WRIT PETITION NO.1350 OF 2023**

Raju Roshanilal Badala (Jain) ... Applicant
V/s.
The State of Maharashtra and Anr ... Respondents

Mr. Maruti P. Bhavarkar for the applicant.

Mr. Robin Nazareth for respondent No.2.

Smt. M.R. Tidke, APP for the State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 20, 2023

PC.:

1. Challenge in this petition is to the order of conviction passed by the Magistrate in a proceeding under Section 138 of the Negotiable Instruments Act, 1881.

2. Undisputedly, the accused has filed statutory appeal before the Sessions Court, statutory appeal is pending. Hence, the writ petition cannot be entertained. Therefore, writ petition stands dismissed. No costs.

3. In view of dismissal of the Writ Petition, the Interim Applications does not survives and is disposed of accordingly.

(AMIT BORKAR, J.)