

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

CRIMINAL WRIT PETITION NO. 3890 OF 2022

Mr. Ashwin Shah

... Petitioner

v/s.

Suresh Kaulchand Jogani and anr.

.... Respondents

Mr. Rohit Mahadik for the Petitioner.

Mr. Karansingh B. Rajput for the Respondent No.1.

Mr. A.R. Patil, APP for the State.

CORAM: R.G. AVACHAT, J.

DATED : 03rd FEBRUARY, 2023.

P. C. :-

. Heard learned counsel for the respective parties.

2. The challenge herein is to the order directing the Applicant/accused to deposit 20% of the cheque amount. According to the learned advocate for the Petitioner, the order was passed without hearing the Petitioner. The learned advocate for the Respondent also invited my attention to the impugned order wherein the learned advocate for the Applicant was also not present to work out the Application. During submissions before the Court, learned advocate for the Respondent invited this Court's attention to the receipt allegedly issued by the Petitioner herein in acknowledgment of receipt of certain sum of money through bank.

3. The cheque is of Rs.2,75,000/-. In the facts and circumstances of the case, this Court finds the trial court to have been justified in passing the impugned order. The Court is therefore not inclined to interfere with the impugned order. Hence, the Appeal is dismissed. Three weeks time is granted to comply with the impugned order.

**PREETI
H JAYANI**

(R.G. AVACHAT, J.)

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PREETI H JAYANI
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