

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

CRIMINAL WRIT PETITION NO.3069 OF 2023

Guruvansh Infra through its partner

Deepak P. Patel

...Petitioner

Versus

Rahul R. Shelar & Anr

...Respondents

Mr. Sujit Shelar a/w Mihir Nakrani, i/b One Access, Advocate for
Petitioner in all Writ Petitions.

Mr. S.H. Yadav, APP for State/Respondent in WP/3069/2023,
WP/ST/16253/2023 & WP/ST/16258/2023.

Mr. A.R. Patil, APP for State/Respondent in WP/ST/16252/2023 &
WP/ST/16360/2023.

CORAM : SARANG V. KOTWAL, J.

DATE : 12th SEPTEMBER 2023

PC :

1. This is a writ Petition with the prayer for directions to
the learned Judicial Magistrate First Class, Kalyan to expedite the
S.C.C. Nos.1374/2017 pending before the 3rd JMFC, Kalyan.

2. At the outset, learned Counsel for the Petitioner seeks
permission to correct the chart mentioned in paragraph 2.

3. Leave to amend for that purpose is granted.

Amendment be carried out forthwith.

4. Since the prayer here is for expediting the trial, certain dates are important they are as follows;

Sr. No.	Date	Particulars
1.	26.07.2017	Date of dishonor of the 03 Cheques Amounting to Rs. 1 Crore each.
2.	14.08.2017	Date of mandatory Demand Notice
3.	28.09.2017	Date on which the Complaint Filed
4.	08.10.2018	Date of order issuing process against Respondent No.1
5.	05.04.2022	Date of recording of Plea of Respondent No.1
6.	15.10.2022	Affidavit of Evidence Filed
7.	17.07.2023	Last hearing date
8.	26.09.2023	Next date of hearing before the Trial Court

5. Learned Counsel for the Petitioner states that the Petitioner is a partnership firm through the active partners. Learned Counsel for the Petitioner submitted that the amount involved in the transaction as well as the amount of cheques are quite huge. The complaint is pending since more than six years. The evidence is already filed and the stage is for cross-examination

of the Complainant.

6. Considering the long pendency of the matter, it is necessary that directions are issued to the learned Magistrate for expeditiously proceeding to the next stage. Considering these submissions and the list of dates, it would be in the interest of justice, to expedite the trial. Though, the other prayer is for making the trial time bound, at this stage, expediting the trial should serve the purpose of this Petition. In any case, once the affidavit in evidence is filed, the cross-examination should be conducted as early as possible.

7. Hence, the following order:

O R D E R

- i) The Criminal Case No.1374/2017 pending before the 3rd JMFC, Kalyan, is expedited.
- ii) The Petition is disposed of.

(SARANG V. KOTWAL, J.)