

VRJ

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

**WRIT PETITION NO.11246 OF 2017**

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RAMESH  
JADHAV  
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Zahoor Ahmed Mohammedsaleh  
Shattari

... Petitioner

**V/s.**

Kazi Ibrahim Jamaludding Aarai

... Respondent

Mr. Uday P. Warunjikar for the petitioner.

**CORAM : AMIT BORKAR, J.**

**DATED : AUGUST 21, 2023**

**P.C.:**

1. Challenge in this petition is to the rejection of an application filed by the judgment debtor in a proceeding under section 340 of the Criminal Procedure Code, 1973 to initiate prosecution under section 195(B) of the Indian Penal Code, 1860. The trial Court rejected the application.
2. Considering the scope of section 340 of the Criminal Procedure Code, 1973, no error can be found with the view adopted by the trial Court. However, in the interest of justice Civil Application No.64 of 2016 under section 340 of the Criminal Procedure Code, 1973 pending before Civil Judge, Junior Division at Vasai is expedited.
3. The civil writ petition stands disposed of.

**(AMIT BORKAR, J.)**