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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3855 OF 2012

WITH

INTERIM APPLICATION NO.879 OF 2020

IN

CRIMINAL WRIT PETITION NO.3855 OF 2012

Krishna Texport Industrial Limited

(KSL And Industries)

.. Petitioner

v/s.

Om Prakash Sapra And Anr.

.. Respondents

WITH

INTERIM APPLICATION NO.3065 OF 2022

IN

CRIMINAL WRIT PETITION NO.3855 OF 2012

Prem Omprakash Sapra And Anr.

.. Applicants

v/s.

Om Prakash Sapra And Anr.

.. Respondents

WITH

CRIMINAL WRIT PETITION NO.3489 OF 2012

WITH

INTERIM APPLICATION NO.181 OF 2019

IN

CRIMINAL WRIT PETITION NO.3489 OF 2012

Krishna Texport Industrial Limited

(KSL And Industries)

..Petitioner/Applicant

v/s.

Anil Kumar And Ors.

.. Respondents

WITH

INTERIM APPLICATION NO.3360 OF 2021

IN

CRIMINAL WRIT PETITION NO.3489 OF 2012

K.R. Gupta Since deceased Through
Legal Heirs Rashi Gupta wife of K.R.
Gupta And Ors.

.. Applicants

v/s.

Krishna Textile Industrial Limited And Ors.

.. Respondents

**WITH
CRIMINAL WRIT PETITION NO.3854 OF 2012
WITH
INTERIM APPLICATION NO.182 OF 2019
IN
CRIMINAL WRIT PETITION NO.3854 OF 2012**

Krishna Texport Industrial Limited
(KSL And Industries)

..Petitioner/Applicant

v/s.

M/s. Diwam Rubber Industries And Ors.

..Respondents

....

Ms. Lalita Savekar, i/b. Kulkarni & Associates, for the
Petitioner/Applicant.

Mr. Rahul Singh, a/w. Ms. Pranali Raut and Ms. Varsha Salunkhe, i/b.
Legal Catalyst, for Applicant in IA/3065/2022 in WP/3855/2022.

Mr. Vikram Sutaria, for the Applicant in IA/3360/2021 in
WP/3489/2012.

Mr. Arfan Sait, APP, for State.

....

CORAM: R.G. AVACHAT, J.

DATE : 18 JANUARY 2023.

P.C:-

Interim Application No.3360 of 2021 in Writ Petition No.3489 of 2012 and Interim Application No.3065 of 2021 in Writ Petition No.3855 of 2012 have been preferred to bring on record legal representatives of the original accused, who were convicted for offence punishable under Section 138 of the Negotiable Instruments Act. The appellate court partly allowed their appeals directing the trial court to hold de novo trial in view of Section 326 of Cr.P.C. Against the said order, the original complainant has preferred Writ Petition No.3489 of 2012, Writ Petition No.3855 of 2012 and Writ Petition No.3854 of 2012.

2. Since the matter is arising out of conviction under Section 138 of the N.I. Act, the prayers in both these applications to bring on record LR's of the deceased convicts are allowed. The necessary amendments be carried out within couple of days.

3. Stand over to 1st February 2023.

(R.G. AVACHAT, J.)