

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Cri.Writ Petition No.600 of 2024

Bhavin Chhotalal Sheth Petitioner.

Vs.

State of Maharashtra & Anr. Respondents.

Mr Vivek Kantawala a/w Mr Amey Patil, Mr Shanay Bafna i/by Mr
Vivek M Sharma for Petitioner.

Mr Arfan Sait, APP for respondent No.1.

Mr Pradeep Yadav i/by Santosh Nisalkar for respondent No.2.

Coram : R. N. Laddha, J.

Date : 12 April 2024.

P.C. :

Heard learned Counsel for the parties.

2. The petitioner in this case is arraigned as an accused, in a private complaint filed by respondent No.1/original complainant. The complaint led to issuance of process for the offences punishable under Section 138 of the Negotiable Instruments Act. It is not in dispute that alternate, efficacious remedy under Section 397 of the Code of Criminal Procedure is available to the petitioner against the impugned order. Hence, this Court is not inclined to

invoke its writ jurisdiction.

3. In view of this, the petition is dismissed with liberty to file an appropriate proceedings before the learned Sessions Court.

4. The petitioners are entitled to seek condonation of delay.

5. The petition stands disposed of accordingly.

[**R. N. Laddha, J.**]