



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO.176 OF 2024

[Smt. Anuradha Kumar w/o K.G. Narayan Kumar .vs. Mr. Bihari Ramprasad Kanor and others]

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Mr. S. Ramaswamy, Advocate for the petitioner.

CORAM : M.W. CHANDWANI, J.

DATE : 21/02/2024.

The order dated 13.01.2023 in Summary Criminal Case No.317790/2013 below Exh.50 passed by the learned Additional Chief Judicial Magistrate impleading the petitioner as an accused in Criminal Complaint filed for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

2. The contention is that after ten years and without issuance of notice under sub-clause (b) of Section 138 of the Negotiable Instruments Act to the petitioner, the petitioner is impleaded as an accused in alleged capacity of partner of a firm.

3. Issue notice to the respondents, returnable within two weeks.

4. The trial Court shall not proceed in the matter till next date of hearing.

5. The trial Court shall not insist the presence of the petitioner in the proceedings on next date of hearing.

(M.W. Chandwani, J.)