

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 511 OF 2025

Abhinav Angirish

.. Petitioner

Versus

Aditya Kedia

.. Respondent

WITH
CONTEMPT PETITION NO. 406 OF 2024
WITH
CONTEMPT PETITION NO. 511 OF 2025
WITH
CONTEMPT PETITION NO. 406 OF 2024
WITH
CONTEMPT PETITION NO. 417 OF 2024
WITH
CONTEMPT PETITION NO. 407 OF 2024
WITH
CONTEMPT PETITION NO. 408 OF 2024

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- Mr. Rahul Kamerkar, Advocate for Petitioner
 - Mr. Rohan Sawant a/w Mr. Ishaan Choudhary i/by IC Legal for Respondent

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CORAM : MILIND N. JADHAV, J.

DATE : JULY 28, 2025

P. C.:

1. Heard Mr. Kamerkar, learned Advocate for Petitioner and Mr. Sawant, learned Advocate for Respondent.
2. Petitioner is aggrieved in view of the non-compliance of the orders passed by the learned Magistrate's Court. According to Petitioner, total amount of cheques is approximately to the tune of Rs.

2,05,00,000/- . Substantial portion of that amount has been deposited by the Respondent – Contemner while securing bail in the proceedings filed against the Respondent under Section 420 of IPC.

3. Be that as it may, though the same cause of action gives rise to the proceedings under Section 138 of the Negotiable Instruments Act, 1881 (for short "**NI Act**"), according to Mr. Kamerkar deposit of Rs. 1.6 Crore cannot be considered to be a security given by the Respondent for non-compliance of the orders passed by the learned Magistrate insofar as the proceedings under Section 138 of the NI Act are concerned.

4. As noted in the order dated 09.10.2024, four Writ Petitions bearing (St) Nos. 8554/2024, 8555/2024, 8556/2024 and 8560/2024 have been filed in this Court. Mr. Sawant informs the Court that a praecipe has been moved by Respondents for seeking listing of the said Writ Petitions on 17.07.2024 but no date has been assigned as yet. The fact that a substantial amount is deposited as a pre-condition to secure bail may be looked into by the learned Court in the Writ Petitions filed by Respondent which may enure to the benefit of Petitioner before me. Both the learned Advocates inform the Court that they shall file a joint praecipe before the regular Court and persuade the Court to hear the Writ Petitions.

5. In the above facts, present Contempt Petition along with Contempt Petitions listed at Sr. No. 56 on today's board are directed to be listed together on the next date. Copy of Contempt Petition No. 511/2025 shall be served afresh on Respondent's Advocate.
6. Stand over to **25th August, 2025.**

Amberkar

[MILIND N. JADHAV, J.]