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

Criminal Writ Petition No.5820 of 2024

Prakash Plastic Industries and Anr. ... Petitioners

versus

The State of Maharashtra and Anr. ... Respondents

Mr Ashok M Saraogi, for the petitioners.

Mr MG Patil, APP, for respondent No.1/ State.

Ms Kirti Purohit, for respondent No.2.

Coram: R.N. Laddha, J.

Date: 21 January 2025.

P.C.:

. Heard the learned Counsel for the parties.

2. The petitioners in this case are arraigned as accused in a private complaint filed by respondent No.2. The complaint led to issuance of process for offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

3. The established legal principle is that this Court should exercise its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) sparingly. Specifically, when the petitioners have an option to challenge the issuance

of process order through an alternate and efficacious remedy of revision before the Sessions Court. In such circumstances, this Court is not inclined to invoke its inherent jurisdiction, however, the petitioners are granted liberty to file appropriate proceedings before the Sessions Court. Furthermore, the petitioners may seek condonation of delay, if any. However, if the revision fails, the petitioners are not precluded from approaching this Court.

4. The petition stands dismissed accordingly. The interim protection, granted earlier in this matter, shall continue to operate till two weeks from today.

5. It is made clear that this Court has not examined the merits of the matter and all contentions of the parties are left open.

(R.N. Laddha, J.)