

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

(7) Cri.Application No.1563 of 2024

Kalyani Aditya Mineral Ltd & Anr..... Applicants.

Vs.

Ameet Enterprises & Anr. Respondents.

With

(8) Cri.Application No.1564 of 2024

Kriti Mittal & Ors. Applicants.

Vs.

At Trade Overseas Pvt Ltd & Anr. Respondents.

With

(9) Cri.Application No.1565 of 2024

Kalyani Aditya Mineral Ltd & Anr..... Applicants.

Vs.

PRH Resources Pvt Ltd & Anr. Respondents.

With

(10) Cri.Application No.1566 of 2024

Kriti Mittal & Ors. Applicants.

Vs.

PRH Resources Pvt Ltd & Anr. Respondents.

With

(11) Cri.Application No.1567 of 2024

Kriti Mittal & Ors. Applicants.

Vs.

Ameet Enterprises & Anr. Respondents.

**With
(12) Cri.Application No.1568 of 2024**

Kalyani Aditya Mineral Ltd & Anr..... Applicants.

Vs.

At Trade Overseas Pvt Ltd & Anr. Respondents.

Mr R. Kartikey, Sr. Adv. a/w Gaurav Sharma a/w Yogendra Verma a/w Tanay Sakharwade for the applicants.

Mr Vineet Naik, Sr. Adv. a/w Amod Ekhaspur a/w Sayali Shinde i/by Kartikeya & Associates, for respondent No.1.

Mr MG Patil a/w Mr Swapnil S Pednekar a/w Ms Manisha R Tidke a/w Dr Ashwini A Takalkar, APP for respondent/State.

Coram : R.N.Laddha, J.

Date : 16 January 2025.

P.C. :

Heard the learned Counsel appearing on behalf of the applicants; learned Counsel appearing on behalf of the respondents No.1 and the learned Additional Public Prosecutor representing the respondent/State.

2. The applicants, in these applications have been arraigned as an accused, in a private complaint, filed by respondent No.1. The complaints 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 528 of the Bharatiya Nagarik Suraksha Sanhita,(BNSS), 2023 sparingly, specifically when the applicants have the option to challenge the issuance of process order through alternative and effective remedy of revision before the Sessions Court. In these circumstances, this Court should refrain from entertaining applications under Section 528 of the BNSS, 2023. However, if the revision fails, the applicants are not precluded from approaching this Court under Section 528 of the BNSS,2023.

4. In light of the above, this Court is not inclined to invoke the inherent jurisdiction. The applications stand dismissed accordingly, but the applicants are granted liberty to file appropriate proceedings before the Sessions Court. Further, the petitioners may seek condonation of delay.

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

[R. N.Laddha, J.]