



Gaikwad RD

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.123 OF 2025**

Deepak Dulhani

...Petitioner

Versus

Crompton Greaves Consumer, Electricals Ltd
& Anr

...Respondents

**Mr. Pritam P. Runwal, with Mr. Anil R. Khopade, for the
Petitioner.**

Mr. K. V. Saste, Addl.P.P., for the Respondent No.2-State.

CORAM Dr. Neela Gokhale, J.

DATED: 11th February 2025

PC:-

1. The Petitioner assails the order of issuance of notice dated 20th April 2019 in C.C.No.01/SS/2019 bearing new C.C.No.5401238/SC/2021 pending on the file of the Metropolitan Magistrate, 54th Court, Mazgaon, Mumbai on the ground that the Magistrate has issued process against the Petitioner without first conducting an inquiry under Section 202 of the Code of Criminal Procedure, which according to the Petitioner, was mandatory in the context of complaint even under Section 138 of the Negotiable Instruments Act, 1881.

2. Mr. Runwal, learned counsel appearing for the Petitioner relies upon a decision of this Court in *Rainbow Papers Ltd. & Ors. v. State of Maharashtra & Anr.*¹
3. Issue notice to the Respondents returnable on 11th March 2025.
4. Mr. Saste, learned Additional Public Prosecutor waives notice on behalf of the Respondent No.2-State.
5. In addition to Court notice, learned counsel for the Petitioner is permitted to serve the Respondents through private notice by all modes of communication as permissible in law.
6. In the meantime, there shall be stay of the impugned order dated 20th April 2019 till the next date.

(Dr. Neela Gokhale, J)

1 2021 ALL MR (Cri.) 3527.