

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

CRIMINAL WRIT PETITION (ST.) NO. 2805 OF 2025

Dilipkumar Premdas Sharda and anr.	 Petitioners
v/s.	
Nandlal K. Talreja and anr.	 Respondents

**WITH
CRIMINAL WRIT PETITION (ST.) NO. 2802 OF 2025**

Dilipkumar Premdas Sharda	 Petitioner
v/s.	
Simran G. Talreja and anr.	 Respondents

**WITH
CRIMINAL WRIT PETITION (ST.) NO. 2809 OF 2025**

Dilipkumar Premdas Sharda	 Petitioner
v/s.	
Nandlal K. Talreja and anr.	 Respondents

**WITH
CRIMINAL WRIT PETITION NO. 853 OF 2025**

Dilipkumar Premdas Sharda	 Petitioner
v/s.	
Gopal Kaniyalal Talreja and anr.	 Respondents

**WITH
CRIMINAL WRIT PETITION NO. 852 OF 2025**

Sonia Dilip Sharda	 Petitioner
v/s.	
Simran G. Talreja and anr.	 Respondents

**WITH
CRIMINAL WRIT PETITION NO. 851 OF 2025**

Sonia Dilip Sharda	 Petitioner
v/s.	
Gopal Kanayalal Talreja and anr.	 Respondents

**WITH
CRIMINAL WRIT PETITION NO. 850 OF 2025**

Sonia Dilip Sharda Petitioner
v/s.

Nandlal K. Talreja and anr. Respondents

Ms. Kavita Saha a/w. Ms. Anjali Awasthi, for the Petitioners.
Adv. Chaula Solanki a/w. Adv. H.H. Nagi, Adv. Niranjana Pradhan i/b.
NAGI and Associates, for the Respondent No.1.
Ms. Sangeeta Shinde, APP for the Respondent No.2– State.

CORAM : SHYAM C. CHANDAK, J.

DATED : 27th NOVEMBER, 2025

P. C. :-

. The aforesaid Writ Petitions have challenged separate Order dated 24/12/2024 passed below separate Application seeking to allow the Petitioner/s to cross-examine the PW1 examined by Respondent No.1/Original Complainant. The details of the cases are as under:-

Sr. No.	Cr. Writ Petition No.	Case No.	Exh. No.	Order Date
1.	WP/2805/2025	277/SS/2019	52	24/12/2024
2.	WP/2809/2025	278/SS/2019	31	24/12/2024
3.	WP/2802/2025	281/SS/2019	40	24/12/2024
4.	WP/850/2025	276/SS/2019	41	24/12/2024
5.	WP/851/2025	275/SS/2019	40	24/12/2024
6.	WP/852/2025	280/SS/2019	41	24/12/2024
7.	WP/853/2025	279/SS/2019	35	24/12/2024

2) Rule. Rule is made returnable forthwith.

3) Learned Counsel for the Petitioner/s submits that when the aforesaid cases were at the stage of cross-examination of PW1 for Respondent No.1, the Advocate on record appearing for the Petitioner/s did not diligently proceed with the cases. Consequently, the cross-

examination of PW1 for the Petitioner/s was closed on 21/06/2024. The statement of the Petitioner/s to be recorded under Section 313 of Cr.P.C was dispensed with. Meanwhile, the cases were closed for final arguments. Later on, the Petitioner/s engaged another Advocate and filed the said Applications to allow the Petitioner/s to cross-examine the PW-1, as stated above. However, the said Applications came to be rejected. Thus, the Petitioner/s are denied an opportunity to cross-examine the witness and to have fair trial. She submits that the Petitioner/s are ready to cross-examine the witness on the dates and to proceed with the case, as will be fixed by the trial Court.

4) To show the bonafide, the Petitioner/s have complied with the Order to pay interim compensation which was passed on 10/10/2023 by the trial Court.

5) In the backdrop, the learned Counsel for Respondent No.1 in her usual fairness stated that, she has no objection to give one opportunity to the Petitioner/s to cross-examine the PW-1 but subject to imposing some cost for the lackadaisical attitude shown in the matter by the Petitioner/s. Needless to mention that one of the objects of the Negotiable Instruments Act, 1881 aims at early disposal of cases relating to dishonour of cheques.

6) In the wake of above, one opportunity may be granted to the Petitioner/s to cross-examine the prosecution witness No. 1 of Respondent No.1, subject to costs of Rs.3,000/- in each case. The costs shall be paid to

Respondent No.1.

7) Although, the learned Counsel for the Petitioner/s stated that the Order of interim compensation is complied, the amount is deposited by way of DD with this Registry. The said amount, as directed by the trial Court was to be paid to the Respondent No.1. Therefore, the learned Counsel for the Petitioner/s is permitted to withdraw the said Demand Drafts from this Registry and to comply with the Order dated 10/10/2023 of interim compensation as directed by the trial Court, on or before 6th December 2025, when the cases before the trial Court are fixed for further proceedings.

8) The Petitions stand allowed, subject to payment of costs of Rs.3,000/- in each Petition.

8.1) The impugned Orders dated 24/12/2024 passed by Metropolitan Magistrate, 14th Court, Girgaon, Mumbai are quashed and set aside.

8.2) The cases stated in the table above are resumed to the stage of cross-examination of PW-1 with effect from 6th December, 2025 and to be proceeded onwards in accordance with law.

8.3) The Advocate for the Petitioner/s, who is on record and appearing in the trial Court, shall proceed with the cross-examination of the prosecution witness No. 1.

8.4) Parties shall cooperate with the trial Court for the expeditious hearing and disposal of the said cases. The trial Court is requested to hear

and dispose of the cases within a period of one year from today, without affecting the other old cases.

8.5) The costs totaling to Rs.21,000/- shall be paid to the Respondent No.1 on 6th December, 2025.

8.6) If the Petitioner/s fails to pay the interim compensation amount and the costs, the trial Court shall proceed with the cases.

9) Parties to act on the authenticated copy of this Order.

10) Petitions stand disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)