

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

**Criminal Application No.344 of 2025**

M/s Garima Enterprises  
a Proprietorship Firm  
through Proprietor Mr Sanatan Medhi  
Aged -50 years, having office  
address at Halo Road,  
Nalbari Biren Garage Chowk,  
Nalbari, Assam: 781335

... Applicant

versus

1. M/s Apar Industries Limited  
through its Constituted Attorney  
Aged 60 years,  
Shri Sunil Kumar R Mishra,  
having its office at Apart House,  
Corporate Park,  
Sion – Trombay Road, Chembur,  
Mumbai : 400 071
2. The State of Maharashtra  
through Public Prosecutor  
address at PWD Building, 2<sup>nd</sup> Floor,  
Bombay High Court,  
Mumbai: 23

... Respondents

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Mr Jeetendra Ranawat, a/w. Mr Gaurav Gupta, for the  
applicant.

Mr VN Sagare, APP, for respondent No.2/State.

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**Coram: R.N. Laddha, J.**

**Date: 25 March 2025.**

**P.C.:**

. Heard Mr Jeetendra Ranawat, the learned Counsel appearing on behalf of the applicant; and Mr VN Sagare, the learned Additional Public Prosecutor representing respondent No.2/State.

2. The applicant in this case is arraigned as an accused in a private complaint, bearing S.C.C. No.22103 of 2024, pending before Judicial Magistrate, First Class, 6<sup>th</sup> Court, Thane. The complaint led to issuance of process for offences punishable under Section 138 of the Negotiable Instruments Act, 1981.

3. The established legal principle dictates that the inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure should be exercised sparingly. This is particularly relevant when the applicant has the option to challenge the issuance of a process order through an alternate and effective remedy, such as filing a revision before the Sessions Court. In such cases, this Court should refrain from entertaining an application under Section 482 of Cr.P.C. However, it is important to note that if the revision fails, the applicant is not barred from approaching this Court under

Section 482 Cr.P.C. for further reliefs. This ensures that the applicant has multiple avenues for redress and can seek justice through the appropriate legal channels.

4. In light of the above, this Court is not inclined to exercise its inherent jurisdiction. As a result, the application is dismissed. However, the applicant is granted liberty to file appropriate proceedings before the Sessions Court. The applicant may seek condonation of any delay, if necessary, ensuring that all procedural requirements are met for a continuing pursuit of justice.

5. The application stands disposed of accordingly.

**(R.N. Laddha, J.)**