

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

(Sr. No 32) CRIMINAL APPLICATION NO.732 OF 2025

Bangalore Investments
Through Shri Kamlesh
Hakumatrai Thakur ... Applicant
Vs.
Venkatesh Babu And Anr. ... Respondents

AND

(Sr. No 35) CRIMINAL APPLICATION NO.751 OF 2025

Bangalore Investments
Through Shri Kamlesh
Hakumatrai Thakur ... Applicant
Vs.
Venkatesh Babu And Anr. ... Respondents

Mr. Carl Patel, Advocate for the Applicant in both matters.

Mr. Mayur S. Sonavane, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th DECEMBER, 2025.

P.C. :

1. By the present applications the Applicants are seeking expeditious disposal of proceedings filed by the Applicants under Section 138 of the Negotiable Instrument Act 1881 (as amended), registered as Criminal Case Case No. SS/3303274/2019 and Criminal Case Case No. SS/3303275/2019 pending on the file of the Judicial

Magistrate First Class, presiding over the 33rd Court at Ballard Pier at Mumbai.

2. Mr. Carl Patel, learned Advocate for the Applicant in both the applications, submits that the said two proceedings are pending before the Court since the year 2019. He submits that the delay in disposal of the said proceedings is attributable to the Respondent No.1 (Accused).

3. In view of the order which I propose to pass, notice on Respondent No.1 is dispensed.

4. Provisions of Section 143 (2) and (3) of the Negotiable Instructions Act 1881 (as amended) reads as follows:-

143. Power of Court to try cases summarily:-

“(1)...

(2) The trial of a case under this section shall, so far as practicable, consistently with the interests of justice, be continued from day to day until its conclusion, unless the Court finds the adjournment of the trial beyond the following day to be necessary for reasons to be recorded in writing.

(3) Every trial under this section shall be conducted as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint.”

5. The Hon'ble Supreme Court in the case of Sanjabij Tari Vs. Kishore S. Borcar and Anr.¹, after taking note of the massive backlog of cheque bouncing cases and the delay in disposal of the complaints under Section 138 of Negotiable Instrument Act 1881, has issued various guidelines.

6. Considering the above, the learned Judicial Magistrate First Class, presiding over 33rd Court at Ballard Pier, Mumbai to make an endeavour to dispose of the proceedings bearing Criminal Case Case No. SS/3303274/2019 and Criminal Case Case No. SS/3303275/2019 filed by the Applicant, expeditiously.

7. Both the Criminal Applications are disposed of.

(ASHWIN D. BHOBE, J.)

¹ 2025 SCC OnLine SC 2069.