

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

CRIMINAL APPLICATION NO.819 OF 2025

SATISH
RAMCHANDRA
SANGAR

Neysa Da Cunha Hammond and Anr.

...Applicants

V/s.

Rajiv Goel and Anr.

...Respondents

Digitally signed by
SATISH RAMCHANDRA
SANGAR

Date: 2025.08.04
19:19:04 +0530

**WITH
CRIMINAL APPLICATION NO.820 OF 2025**

Cherise Ann Da Cunha and Anr.

...Applicants

V/s.

Rajiv Goel and Ors.

...Respondents

**WITH
CRIMINAL APPLICATION NO.821 OF 2025**

Carol Ann Da Cunha and Anr.

...Applicants

V/s.

Rajiv Goel and Ors.

...Respondents

**WITH
CRIMINAL APPLICATION NO.822 OF 2025**

Marcel Da Cunha and Anr.

...Applicants

V/s.

Rajiv Goel and Anr.

...Respondents

**WITH
CRIMINAL APPLICATION NO.825 OF 2025**

Marcel Da Cunha and Anr.

...Applicants

V/s.

Rajiv Goel and Ors.

...Respondents

**WITH
CRIMINAL APPLICATION NO.826 OF 2025**

Carol Ann Da Cunha and Anr. ...Applicants

V/s.

Rajiv Goel and Anr. ...Respondents

**WITH
CRIMINAL APPLICATION NO.827 OF 2025**

Cherise Ann Da Cunha and Anr. ...Applicants

V/s.

Rajiv Goel and Anr. ...Respondents

**WITH
CRIMINAL APPLICATION NO.829 OF 2025**

Neysa Da Cunha Hammond and Anr. ...Applicants

V/s.

Rajiv Goel and Ors. ...Respondents

Mr.Anil G. Lalla a/w Mr.Yash Pulekar, Ms.Yashvi Jain and Mr.Dewang Rawal:-	Advocates for Applicants in all the Applications.
Ms.Shalu D. Jadhav a/w Mr.Dharmendra D. Jadhav:-	Advocates for Respondents- Rajiv Goel.
Mr.N.B.Patil:-	APP for Respondent-State in Application No.819 of 2025.
Ms.Gauri S. Rao:-	APP for Respondent-State in Application No.820 of 2025.
Mr.H.J.Dedhia:-	APP for Respondent-State in Application No.821 of 2025.
Ms.Sangeeta D. Shinde:-	APP for Respondent-State in

	Application No.822 of 2025.
Mr.N.B.Patil:-	APP for Respondent-State in Application No.825 of 2025.
Ms.Gauri S. Rao:-	APP for Respondent-State in Application No.826 of 2025.
Ms.Sangeeta D. Shinde:-	APP for Respondent-State in Application No.827 of 2025.
Ms.Sangita E. Phad:-	APP for Respondent-State in Application No.829 of 2025.

CORAM : S. M. MODAK, J.

DATE : 1st AUGUST 2025

P. C. :-

1. Heard learned Advocate Shri.Lalla for Applicants/Complainants and also heard learned Advocate for Respondent No.1.
2. There are 8 Complaints pending before the Court of Judicial Magistrate First Class – Mazgaon. They are for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (“**NI Act**”). However, the prayer made in these Applications is to direct the trial Court to expedite the remaining trial and to be completed within 2 months.
3. Mr.Lalla has apprised me about the stage of all these cases. They are pending since 2019 and his client has already given evidence and closed it. Even the statement of the Accused is recorded in those cases

under Section 313 of the Code of Criminal Procedure, 1973 (“**Cr.P.C.**”) and now the stage is for recording the defense evidence. About the stage as submitted by Mr.Lalla, there is no dispute. According to Mr.Lalla, he has pleaded about the conduct of the Respondent. It includes not complying the orders under Section 143A of the NI Act.

4. All the averments in the Applications are denied on behalf of the Respondent No.1. They want to file a reply to deal with those averments. However, Mr.Lalla submitted that his prayer is only for expediting the trial and these averments are made to support their prayer. But if the Court is expediting the trial, he is not pressing all these averments.

5. On this background, learned Advocate for Respondent(s) has shown readiness for expediting the trial. He has explained the witnesses to be examined on behalf of his client. The Accused is desirous of entering into the witness-box and is desirous of examining two more witnesses. He explained the physical condition of his client. He is suffering from paralysis and also undergoing dialysis. So also, he submitted that the wife of his client is at fourth stage of cancer.

6. It is true that fixing of time limit of case depends upon so many factors. It depends upon the workload of that Court. Instead of fixing

the time limit, certain directions can be given to the trial Court to speed up the hearing and the stages. If the submissions are made before the trial Court on the basis of averments in the Applications, it is made clear that this Court has not made any observations and the trial Court to decide them independently. In view of that, following order is passed:-

ORDER

- (i) The Respondent(s) to examine himself on 5th August 2025.
 - (ii) If for some reason or other, he is unable to attend the trial Court physically or virtually, the Respondent is going to drop him as a witness.
 - (iii) The Respondent to submit before the trial Court about the names of the remaining 2 witnesses.
 - (iv) The trial Court to decide the time frame for completion of these witnesses after hearing both the sides.
 - (v) Both the parties and specifically the Respondent(s) to adhere to that time limit.
 - (vi) The trial Court is certainly **entitled** to regulate the conduct of the defaulting party by passing necessary orders.
 - (vii) In view of that, **the trial be disposed of as early as possible.**
7. With these observations, **all the Applications are disposed of.**

[S. M. MODAK, J.]