

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

Criminal Application No.850 of 2025

Shri Balmukund Rameshchand Shukla ... Applicant  
V/s.  
State of Maharashtra and anr. ... Respondents

|                    |                             |
|--------------------|-----------------------------|
| Mr. R.R. Tripathi  | Advocate for the Applicant. |
| Mrs. Sangeeta Phad | APP for the State.          |

**CORAM : S.M. MODAK, J**

**DATE : 08<sup>th</sup> August 2025.**

**P.C. :**

The office has not placed the papers on record, that is why the matter is kept in the second half. Even now papers are not placed. Hence, on the request of learned Advocate for the Applicant, I heard him on the basis of papers submitted by him.

2. Heard learned Advocate for the Applicant. He raised following contentions:-

- (i) the trial Court ought to have exempted him from furnishing surety.
- (ii) There is no liability and privity of contract in between the Applicant-Accused and the Respondent-Complainant.
- (iii) The statutory notice is not served.

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(iv) In fact cheques were missing and it was not issued to the Complainant.

3. After hearing these submissions, when I have gone through the papers, I am of this view that these grounds cannot be raised in an application. They can be raised when the evidence will be recorded. Learned Advocate seeks liberty to withdraw this application.

4. Hence, Criminal Application is disposed of as withdrawn.

**(S.M. MODAK, J.)**