



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.308 OF 2024

M. Pari .Vs. Shirishkumar Narayanrao Wankhade

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R.D. Hajare, Advocate for petitioner.

Mr. S.S. Dhengale, Advocate for respondent.

CORAM : ANIL S. KILOR, J.

DATED : 25/02/2025

1. Heard.

2. In the present matter, the challenge is raised to the refusal of prayer of the petitioner to refer the cheque in dispute to the handwriting expert and to seek an expert opinion as regards the handwriting on the cheque.

3. As far as the signature is concerned, the petitioner is not disputing the same. However, it is argued that, since beginning it is the case of the petitioner that cheque is not handed over to the complainant but it was handed over to some 3rd person and it was blank.

4. The learned Jt. Civil Judge Junior Division and Judicial Magistrate First Class, Achalpur, while rejecting the application vide order dated 04.03.2022, has recorded the findings in paragraph Nos.5 to 7 and held that, there is no

need to send the cheque to the handwriting expert for no cogent reason. The Court has further observed that, it will only prolong the matter and will not help to reach to effective conclusion.

5. Once the learned trial Court reached to the conclusion that said evidence is not required and it will be of no help to the learned trial Court to reach to any effective conclusion, no interference in the said order is warranted.

6. In the circumstances, as no interference is warranted, the writ petition is **dismissed**.

JUDGE