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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 10 OF 2026

SUNITA KRISHNA PANDEY, Aged 46 years, Indian National, resident of Flat No. G-3, Utkarsh Colony, Porvorim, Bardez – Goa.

... PETITIONER

~ VERSUS ~

VPK URBAN CO-OPERATIVE CREDIT SOCIETY LTD., having its head office at Mardol, Ponda, Goa, and Branch at 1st Floor, Sumit Classic, Opp. Municipal Garden, Ponda-Goa, represented herein by its authorised officer, Shri. Siddhesh Thanu Madkaikar, aged 41 years, Indian National, resident of H. No. 117, Dutale, Madkaim, Ponda-Goa.

... RESPONDENT

APPEARANCES:

for the Petitioner

Mr. Vibhav R. Amonkar

for the Respondent

Mr. Jatin Ramaiya

CORAM : AMIT S. JAMSANDEKAR, J.

DATED : 16th APRIL 2026

ORAL JUDGMENT:

1. Heard the learned Counsel appearing for the Petitioner.

2. Rule. Mr. Ramaiya waives service on behalf of the Respondent. The Rule is made returnable forthwith at the request and with the consent of the learned Counsel for the parties.
3. By the present Petition, the Petitioner has challenged the order dated 13.11.2025 (*impugned order*), passed by the Judicial Magistrate First Class, Ponda (*learned Judge*) in Criminal Case No. OA/NIA/7/2022/B. By the impugned order, the learned Judge has rejected the Application filed by the Petitioner under Section 145(2) of the Negotiable Instruments Act, 1881 (*N.I. Act*). The impugned order dated 13.11.2025 reads as follows:-

“Rejected as no sufficient grounds of defence are made out.”

4. It is submitted by the learned Counsel for the Petitioner that the impugned order rejecting the Application filed under Section 145(2) of the N.I. Act, is totally devoid of any reasons. It is submitted that the impugned order is illegal, arbitrary and suffers from non-application of mind.
5. On the contrary, the learned Counsel for the Respondent, has supported the impugned order.
6. On hearing the learned Counsel for the parties and on perusal of the impugned order, I agree with the submission made on behalf of the

Petitioner that there are no reasons assigned by the learned Judge for dismissing the Application filed by the Petitioner under Section 145(2) of the N.I. Act.

7. In view thereof, the impugned order is quashed and set aside. The learned Judge shall consider the averments made in the Application under Section 145(2) of the N.I. Act and the record before it, including the defences, if any raised in the Application and then pass its order citing reasons in the support of the same.
8. **Rule is made absolute** in the above terms.
9. **Criminal Writ Petition stands disposed of** accordingly.
10. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]