

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4595 OF 2025**

Jugalkishor Rajaram Karwa

...Petitioner

Versus

State Of Maharashtra

...Respondent

Mr. Ishaan Kapse a/w Mr. Tejas Patil for the petitioner

Mr. R. B. Kulkarni a/w Mr. P. B. Kulkarni for the respondent

Ms. Veera Shinde APP for the State

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 27th JANUARY 2026.

P.C.

1. By this petition under Article 227 of the Constitution of India, the petitioner challenges the order dated 15th January 2025 passed by learned Judicial Magistrate First Class, Solapur below Exhibit 91 in S.C.C. No. 4268 of 2006 thereby rejecting the application filed by the petitioner to forward the cheque in question to the handwriting expert. This order was unsuccessfully challenged by the petitioner in Criminal Revision Application No. 75 of 2025.

2. Respondent has filed the case for bouncing of the cheque of Rs. 22 Lakhs given by the petitioner. The signature on the cheque is admitted by the petitioner. According to the petitioner, he has signed the blank cheque only by putting a figure of Rs. 2 Lakhs on the cheque, however, the said cheque is manipulated by the respondent

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2026.01.29
11:37:48
+0530

by adding figure '2' and words 'Twenty Two Lakhs' in cheque. It is the case of the petitioner that there is change in the ink of the said additions and therefore, it is necessary to forward the said cheque to the handwriting expert. The same would help the petitioner in his defence.

3. It is a matter of record that agreement Exhibit 28, executed between the petitioner and respondent is duly proved. The petitioner has admitted his signature on the cheque. Consequently, presumption under Section 118 and 139 of the Negotiable Instruments Act, 1881 is attracted. The Court is entitled to verify the writing on the cheque under Section 73 of the Indian Evidence Act, 1872. Therefore, there is no need to send the cheque to the handwriting expert.

4. The trial is of the year 2006 and till it is not concluded. It appears that the application is filed by the petitioner to prolong the matter. The decision in *Sharad Versus Deepak and Others* (2014 SCC OnLine Bom 5046) relied upon by the petitioner is rendered in different facts and therefore, does not help the petitioner.

5. Both the Courts below have rightly rejected the prayer of the applicant by assigning cogent reasons. There is no illegality or perversity in the orders impugned in the present Writ Petition.

6. Writ Petition being devoid of merit, is dismissed.

(NITIN B. SURYAWANSHI, J.)