

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
36 CRIMINAL WRIT PETITION NO. 25 OF 2026**

Raigonda Alias Rayappa Malkari Badami

...Petitioner

Vs.

Rahul Shahajirao Kodag And Others

...Respondents

...

Mr. Gajanan M Savagave a/w Parswi Deodhar, Mr. Prashant Bandgar,
Mr. Giridhar Koli Advocate for Petitioner
Mr. P. P. Deokar APP for the State.

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 28th JANUARY 2026.

P.C.

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1. This petition challenges the order passed by learned Additional Sessions Judge, Sangli below Exhibit 40 in Criminal Appeal No. 76 of 2017 thereby rejecting the application filed by the petitioner for sending the disputed cheque for the opinion of hand writing expert as there is difference in the signature of the accused, as well as Form No. 29, 30, 35 at Exhibit 45, pursis at Exhibit 51, acknowledgment at Exhibit 24 and appeal memo.

2. Heard learned advocate for the petitioner. Perused the grounds raised in the Writ Petition and the impugned order.

3. It appears that for the first time, the said contention is raised by the petitioner in the appeal. During cross-examination of

C.W. No. 1, a suggestion was given to him by the advocate of the petitioner that the complainant obtained blank cheque from accused by threatening him. Non signing of the blank cheque is also not stated by the petitioner while recording his statement under Section 313 of Code of Criminal Procedure, 1973. During the trial, the petitioner has not denied signature on cheque in question. The fact remains that the appeal is filed in the year 2017 and after lapse of eight years, the application appears to be filed to protract the appeal.

4. The Appellate Court has rightly rejected the application by the petitioner by assigning cogent reasons. No illegality or jurisdictional error is committed by the Appellate Court while rejecting the application filed by the petitioner.

5. Writ Petition being devoid of merits, is dismissed.

(NITIN B. SURYAWANSHI, J.)