



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.2019 OF 2025**

Kunal Dhiran Kumar Mehta ... Petitioner
versus
Amir Mohammed Bhol and Anr. ... Respondents

WITH
WRIT PETITION NO.2021 OF 2025

Kunal Dhiran Kumar Mehta ... Petitioner
versus
Firoz Mohammed Bhol and Anr. ... Respondents

Mr. Mujahid Ansari for Petitioner in both petitions.
Mr. Firoz Usman i/by Jurisman Legal, for Respondent No.1 in both petitions.
Mr. D.J.Haldankar, APP for State.

**CORAM: N.J.JAMADAR, J.
DATE : 7 MARCH 2026**

P.C.

1. Heard the learned Counsel for the parties.
2. On 4 October 2025, this Court has passed the following order :

“Learned Counsel for the petitioner states that, as directed the Appellate Court the petitioner will deposit cheque bearing No.425024 for an amount of Rs.9,00,000/- in the trial court, towards 10% of the cheque amount. Further, on instructions, learned counsel for the Petitioner states that, the petitioner would deposit additional 5% of the dishonoured cheque amount within three months from the date of this order.

2. Learned Counsel for the Petitioner states that, the petitioner has no objection if the Respondent is permitted to withdraw the amount deposited in the trial Court from time to time. The said statement is accepted”

3. Learned Counsel for the Petitioner submits that the Petitioner has complied with the first part of the order and a sum of Rs.9 Lakhs has been deposited before the Trial Court towards 10% of the cheque amount. Learned Counsel, however, submits that the Petitioner has not complied with the second part of the order as there was no direction by the Court.

4. The submission is against the plain meaning and content of the order passed by this Court on 4 October 2025. It has been specifically recorded that, on instructions, learned Counsel for the Petitioner stated that the Petitioner would deposit additional 5% of the dishonoured cheque amount within three months from the date of the said order. The Petitioner had even given no objection for the withdrawal of the said amount by the Respondent. Moreover, the Court was cautious enough to record that the said statement was accepted.

5. The submission on behalf of the Petitioner that the Petitioner was not required to deposit the said 5% amount as there was no direction by the Court, thus, cannot be countenanced. The Court has passed the said order on the basis of the statement made on behalf of the Petitioner.

6. Since the Petitioner now disowns the said statement and the said conduct betrays an intent to abuse the process of court, the Writ Petitions stand dismissed.

(N.J.JAMADAR, J.)