

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.313 OF 2026**

Jp Machine Tools Pvt Ltd Through Jaspreet Singh ...Petitioner

Versus

State Of Maharashtra And Anr ...Respondents

Mr. Gursimranjit Singh a/w Randhirkumar Mandal, for the Petitioner.
through VC.

Mr. S. A. Karmakar, for the Respondent – State.

CORAM: ASHWIN D. BHOBE, J.

DATED: 29th JANUARY, 2026.

PC:-

1. By the present Petition, the Petitioner assails the Order dated 4th April, 2025 passed by the Judicial Magistrate, First Class, Pune, by which process was issued against the Petitioner under Section 138 of the N. I. Act.

2. Mr. S. A. Karmakar, learned APP objects to the maintainability of this Petition. He submits that the impugned Order dated 4th April, 2025 issuing process is a revisable order, against which a Criminal Revision under Section 438 of BNSS is available. He therefore submits that the Petitioner should be relegated to file a revision application before the Sessions Court at the first instance.

3. In view of the objection, Mr. Gursimranjit Singh, learned Advocate for the Petitioner appearing through VC, on instructions from the Petitioner craves leave to withdraw the present Petition with liberty to file Revision Application under Section 438 of BNSS. Mr. Gursimranjit Singh however submits that the period of limitation to file the revision has expired. He submits that the Petitioner is from the State of Punjab. He submits that the Revision application shall be filed before the Sessions Court, within six weeks from today. He request for a direction to the Sessions Court to consider the request for condonation of delay, liberally.

4. In view of the above, leave granted to the Petitioners to withdraw this Petition with liberty to file Criminal Revision Application before the Sessions Court having jurisdiction. If such Revision Application along with an Application seeking condonation of delay is filed within a period of 6 weeks from today, then the time spent before this Court be excluded in terms of Section 14 of the Limitation Act 1963.

5. In view of the above, Writ Petition No. 313 of 2026 is disposed of with liberty as above.

(ASHWIN D. BHOBE, J.)