

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.2681 OF 2025**

Avinash Rajaram Kalokhe	...Petitioner
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Mr. Adhik Kadam, for the Petitioner
Ms. S. M. Yadav, APP, for the Respondent – State.
Ms. Manisha Devkar a/w Najali Kondvilkar, for the Respondent
No.2.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 17TH JUNE 2026**

PC:-

1. Heard Mr. Kadam, learned Counsel appearing for the Petitioner and Ms. Devkar, learned Counsel appearing for the Respondent No.2.
2. By the present Writ Petition, filed under Article 227 of the Constitution of India, the challenge is to the legality and validity of order dated 10th March 2025 passed by learned JMFC, 2nd Court Khed, Rajgurunagar, Pune of issuing process against the Petitioner.
3. It is the submission of Mr. Kadam, learned Counsel appearing for the Petitioner that the Respondent No.2 has without

the consent of the Petitioner over written on the cheque and changed the date from 21st June 2023 to 21st September 2023. He submits that therefore, the impugned order is required to be quashed and set aside.

4. On other hand, Ms. Devkar, learned Counsel appearing for the Respondent No.2 states that the cheque of Rs.4,47,680/- has been given for repayment of the friendly loan given by the Respondent No.2. The cheque was dated 21st June 2023. However, as the Petitioner wanted some more time to make arrangement for the funds, he himself changed the date to 21st September 2023 and counter signed the said cheque. She points out photocopy of the cheque which is annexed at Page No.26 of the Writ Petition and states that the Petitioner's signature on the cheque as well as counter signature is the same.

5. It is the submission of Mr. Kadam, learned Counsel appearing for the Petitioner that although the signature on the cheque is of the Petitioner the counter sign on the said change of date is not the signature of the Petitioner.

6. Perusal of both the signatures *prima facie* shows that the signatures are of the same person. The signature on the cheque is admitted by the Petitioner as his signature. Thus, the issue raised

by the Petitioner will have to be decided at the stage of trial.

7. Accordingly, as no case is made out for interference under Article 227 of the Constitution of India, the Writ Petition is dismissed.

[MADHAV J. JAMDAR, J.]