

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 467 OF 2026

Motel Lav And Kush And Anr ...Petitioner

Versus

Dyneshwar Ramchandra Boddu And Anr. ...Respondents

SANTOSH
SUBHASH
KULKARNI

Digitally signed by
SANTOSH SUBHASH
KULKARNI
Date: 2026.02.21
13:29:36 +0530

Ms. Rachana Harpale, h/f Mr. Nitin P. Deshpande, for the
Petitioner.

Dr. Ramdas Sabban, a/w Mr. Shrikant Kompelli and Mr. Rohit
Chitiken, for the Respondent No.1.

Mr. A. R, Metkari, APP for the State – Respondent No.2.

CORAM: N. J. JAMADAR, J.

DATED: 20th FEBRUARY, 2026

PC:-

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to a judgment and order dated 3rd November, 2025, whereby the criminal revision application preferred by the petitioner against an order passed by the learned Magistrate on an application for discharge of the petitioner, came to be rejected.
3. By the said order dated 11th June, 2025, the learned Magistrate has rejected the application for discharge of the petitioners from complaint CC/23648/2018 for an offence

punishable under Section 138 read with Section 141 of the Negotiable Instruments Act, 1881.

4. In view of the settled position in law that, in a private complaint, an accused cannot seek discharge, the learned Magistrate was justified in rejecting the application for discharge. In exercise of the revisional jurisdiction, the leaned Additional Sessions Judge committed no error in declining to interfere with the order passed by the learned Magistrate.

5. Resultantly, the petition, being devoid of substance, stands dismissed.

[N. J. JAMADAR, J.]