

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1168 OF 2026

Kamalkumar Kesardev Agarwal

... Petitioner

V/S.

State Of Maharashtra And Anr.

... Respondents

None for the Petitioner.

Ms. Anuja. S. Gotad, learned APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 13th March, 2026.

P.C. :

1. This Petition was called out at 4:32 pm. Neither the Petitioner nor the Advocate for the Petitioner were present in Court, either physically or through VC mode.

2. Mrs. Anuja Gotad, learned APP for the Respondent – State, submits that the Petition is not maintainable.

3. By the present Petition, the Petitioner has essentially challenged an Order dated 19th July, 2022 passed by the Judicial Magistrate, First Class, 43rd Court, Borivali, Mumbai which Order reads as follows:

1. *The complaint is disposed off in view of consent terms (Exh.15).*
2. *Accused is acquitted of the offence punishable u/sec. 138 of the Negotiable Instruments Act, 1881 vide Sec. 257 of the Code of Criminal Procedure, 1973.*
3. *His bail bonds are cancelled.*
4. *Court fee be refunded to complaint as per rules.*

4. *Prima facie*, this Petition would not be tenable. However, to afford an opportunity for the Petitioner / Advocate for the Petitioner to appear and argue the case, list the present Writ Petition on 16th March, 2026 under the caption “for dismissal”

(ASHWIN D. BHOBE, J.)

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