


MHSO010034322025 	Received on	:	12/11/2025
	Registered on	:	13/11/2025
	Decided on	:	15/04/2026
	Duration	:	Y M Ds.
		:	00 05 03

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SOLAPUR**  
**( Before : Shri. R. J. Katariya, Additional Sessions Judge, Solapur. )**

**Criminal Revision Application No.149/2025**

**Exh.No. 11**

Kiran Rohidas Rathod,  
Age: 51 years, Occu. Business,  
R/o. Push Kung, Plot No.116  
Samartha Nagar, near Samruddhi,  
Gardens, Vijapur Road, Solapur



Petitioner

**Versus**

Laxmikant Ramchandra Chillal,  
Age: 45 years, Occu. Business,  
R/o.41B, Shriram Nagar, near Patil  
Majrewadi, Solapur



Respondent

**Appearance**

Shri. G. S. Mashal	:	Adv. for Petitioner
Shri. N. S. Kattimani	:	Adv. for Respondent

**J U D G E M E N T**  
**(Delivered on this 15<sup>th</sup> day of April, 2026)**

1. Present revision application is filed challenging the legality

and propriety of the order dated 18.10.2025 passed by Learned JMFC,(Court No. 1) Solapur below Exh.25 in S.C.C.No.8502/2023.

2. It is contended in the revision application that the petitioner has filed Criminal case against the respondent u/s. 138 of the N.I.Act before the trial Court. The petitioner filed application Exh.25 as per the provisions of Section 143A of N.I.Act seeking interim compensation of 25% of dishonour cheque. After hearing both the sides Ld. Magistrate rejected the application Exh.25.

3. Being aggrieved by the order dated 18/10/2025 passed by Learned JMFC (Court No.1), Solapur, the original complainant challenged the same raising ground No. (i) to (v) and urged to allow the revision application as sought for.

4. Vide list Exh. 4 the petitioner filed documents such as certified copy Exh.25 alongwith order below it, certified copy of Exh.6 (affidavit of chief), list of document Exh.8, roznama dated 10.01.2024 to 18.10.2025, certified copy of Exh.01 and order below it, Exh.27, Exh.16, Exh.18, Exh.19 and order below it, Exh.21 and Exh.17.

5. Heard Learned advocate Mr. G.S. Mashal, for the petitioner and Ld. Adv. Shri. N. S. Kattimani, for the respondent.

6. Learned advocate for the applicant submitted that the Ld. Trial Court did not consider the application Exh.25 in proper

perspective. He submitted that Ld. Trial Court ought to have allowed the application Exh.25. He submitted that the respondent/accused is doing the delaying tactics before the trial Court. There is prima facie case against the respondent/accused. Hence, he prayed for allowing the revision application.

7. Per Contra learned advocate for the non-applicant/respondent opposed the revision application. He submitted that there is no illegality committed by the Ld. Trial Court. He submitted that the exercise of the power under sub Section (1) of Section 143A is discretionary. He submitted that the word “may” used in the provision cannot be construed “shall”. In support of his submissions he placed reliance on the case of **Rakesh Ranjan Shrivastava Vs. The State of Jharkhand & Anr. Criminal Appeal No.741 of 2024** and prayed for rejection of the revision application.

8. Having considered the submissions made on both the sides, following points arise for my determination. I have recorded my findings thereon for the reasons stated as below :-

<b>Points</b>	<b>Findings</b>
1. Whether the impugned order dated 18.10.2025 passed below Exh.25 in S.C.C.No.8502/2023 is just, legal and proper ?	Yes

- |   |                     |
|---|---------------------|
| 2. Whether the impugned order requires any interference by this Court ? | No                  |
| 3. What order ?   | As per final order. |

**- REASONS -**

**As to Point Nos. 1 to 3 :-**

9. Considering the matter, the applicant/complainant filed complaint as per the provision of section 138 of N.I.Act in regard to dishonour of cheque of Rs.10 lakh. The complainant filed application Exh.25 as per provision Section 143A of Negotiable Instrument Act for grant of interim compensation. Learned trial Judge rejected the application after hearing both the side by passing order dated 18.10.2025.

10. Perusal of the order Ld. Magistrate observed that the plea of the accused is recorded vide Exh.23 on 11.03.2025 and thereafter the case is fixed for evidence of complainant. She further observed that the complainant instead of preceding with the evidence praying to decide the application for interim compensation. She observed in the order that accused is present on each and every date of hearing and ready to face the trial and vide Exh.27 accused mentioned that the documentary evidence which is lying in the concerned bank and accused intended to lead such evidence during trial. The Ld. Trial Court considering the

application, say and submissions rejected the application Exh.25. The impugned order shows that learned Magistrate considered the matter in proper perspective and decided the application.

11. In such situation, impugned order passed by the learned trial Court is just legal and proper and requires no interference at the hands of Revisional Court. Hence, I answer point No.1 in the affirmative and point No. 2 in negative, and point No. 3 accordingly. In the result, I proceed to pass following order.

### **ORDER**

1) Cri. Revn. Application is rejected and disposed off.

Date :15/04/2026

( R. J. Katariya )  
Additional Sessions Judge,  
Solapur.

### **CERTIFICATE**

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/Order.

- (a) Name of the Stenographer : S.R.Kore, Stenographer G-1.  
(b) Court : R. J. Katariya,  
District Judge – 1 & Addl.  
Sessions Judge, Solapur.

- (c) Order signed by P.O. on : 15/04/2026
- (d) Order uploaded on : 15/04/2026