

MHCC020026252026



Presented on	12.02.2026
Registered on	12.02.2026
Decided on	22.06.2026
Duration	00Y/04M/10D

IN THE SESSIONS COURT FOR GREATER MUMBAI
AT MAZGAON MUMBAI

CRIMINAL REVISION APPLICATION NO.129 OF 2026

**1. M/s. Green Valley Realtors Partnership
Firm**

2. Mr. Abdul Kadar Sheikh
An Adult, Occ: Business.

3. Mr. Gause Sheikh
An Adult, Occ: Business

...APPLICANTS

4. Khatija BI Sheikh
An Adult, Occ:
Having address at 101/102, Mehboob
Towers, Ariem Junction, Fatorda, Margao
Goa – 403 602.

VERSUS

Salim Noorali Ukani
An adult, Occ; Business
Residing at 18/73, Samudra Darshan,
Krishna Chandra Marg, Reclamation,
Bandra(West), Mumbai-400 050.

...RESPONDENT

Ms. Manali Jain h/f. Adv. Sandip Bali, Ld. Adv. for applicant.
Mr. Rajkumar Gaikwad, Ld. Adv. for respondent.

**CORAM : H. H. THE ADDITIONAL SESSIONS JUDGE, SHRI KUNAL
DHANAJI JADHAV, COURT ROOM NO.87.**
DATED : 22nd June, 2026.

J U D G M E N T

(Delivered on 22.06.2026)

1. The present revision application is filed under Section 397

of Cr.P.C. against the order below Exh.14 passed by the learned Judicial Magistrate First Class, 56th Court, Mazgaon, Mumbai dated 20.11.2025 in C.C. No.8582/SC/2024.

2. It is submitted that, respondent filed complaint regarding dishonour of cheque in which the Ld. Magistrate has taken cognizance. The applicant appeared and were released on bail. The respondent on 27.06.2025 filed application U/s 143A of Negotiable Instruments Act, 1881 for interim compensation. The applicant objected the application. The learned Magistrate by the impugned order directed the applicant to deposit 20% of the cheque amount towards interim compensation. Being aggrieved by the said order the present revision is filed.

3. At the very outset, a question was asked regarding maintainability of the application in view of Section 397 (2) of Cr.P.C. The advocate for applicant submitted that the order of the Magistrate is intermediary order and therefore revision is maintainable. He relied on judgment of **Rakesh Ranjan Shrivastava Vs. State of Jharkhand 2024 3 SCR 438**.

4. I perused the judgment. In the said judgment of Rakesh Shrivastava direction to deposit 20% amount under Section 143-A of NI Act, is discretionary. The said aspect is nowhere in question while deciding the maintainability of this revision. The judgment of Three Judge Bench of Hon'ble Supreme Court in the case of **Suneel Dattatraya Mogre Vs. Rambhia Pravin Damji HUF and others 2023 SCC Online SC 1100** while dealing with Criminal Appeal against the order of Section 143A of NI Act held that, "the High Court was not justified

in interfering with purely interlocutory order passed by the learned Metropolitan Magistrate. Further the appeal was allowed and the order of the High Court was quashed. Similarly, the Hon'ble Bombay High Court in the case of, **Ravindra Trehan Vs. Shravan Jijodiya Criminal Writ Petition No.7753 of 2024 dated 01.07.2024** while dealing with the order under Section 143A of NI Act observed that, as a matter of fact the impugned order being an interlocutory one could not have been entertained by the learned Additional Sessions Judge under Section 397 of Cr.P.C. Thus, the revision application is not maintainable. Accordingly, I pass the following order :

ORDER

Criminal Revision Application No.129 of 2026 stands dismissed as not maintainable.

(Dictated and pronounced in open Court).

Date : 22.06.2026.

Direct Typed on : 22.06.2026

Checked and Signed on : 22.06.2026



**(KUNAL DHANAJI JADHAV)
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO.87,
CITY CIVIL & SESSIONS COURT
AT MAZGAON, GR. MUMBAI**

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”		
Upload Date	Upload Time	Mrs. Rupali S. Bhor Name of Stenographer
22.06.2026	6.00 p.m.	
Name of the Judge (With C.R. No.)		HHJ SHRI K. D. JADHAV (COURT ROOM No.87)
Date of Pronouncement of JUDGEMENT / ORDER		22.06.2026
JUDGEMENT / ORDER signed by P.O. on		22.06.2026
JUDGEMENT / ORDER uploaded on		22.06.2026