

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

**CRIMINAL APPLICATION NO. 470 OF 2018
WITH
CRIMINAL APPLICATION NO. 471 OF 2018
WITH
CRIMINAL APPLICATION NO. 472 OF 2018**

Chirag Rajendrakumar Rao ... Applicant

Vs.

The State of Maharashtra & Ors. ... Respondents

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Mr. Rajiv Patil, Sr. Adv. I/b Dushyant Purekar for the applicant.

Mrs. N.S.Jain, APP for the Respondent-State in Criminal Application No.470 of 2018.

Mrs. P.N.Dabholkar, APP for the Respondent-State in Criminal Application No.471 of 2018.

Mr. A.R. Patil, APP for the Respondent-State in Criminal Application No. 472 of 2018.

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CORAM : PRAKASH D. NAIK, J.

DATE : 27th JUNE, 2018.

P.C.

1. The applicant in all these applications is prosecuted for an offence punishable under Section 138 of Negotiable Instruments Act, 1881. The complaint is filed by the Respondent No.2 alleging that the applicant is one of the partner of accused No.1. It is the case of the complainant that the cheque was issued by one of the

accused on behalf of all partners towards repayment of the loan amount.

2. Mr. Patil, learned counsel appearing for the applicant pointed out that the First Information Report was lodged by the Complainant-Bank at Surat against accused No.2 wherein it is stated that said accused has kept the other partners in dark and committed several acts amounting to offence. It is submitted that the applicant is listed as a witness in the said case.

3. Issue notice to respondent No.2, returnable on 8th August, 2018.

4. In addition to court notice, the applicant is permitted to serve Respondent No.2 by way of private notice and file affidavit of service.

5. Learned APP waives service of notice on behalf of Respondent No.1.

6. In the meantime, there shall be ad-interim relief in terms of prayer clause (c).

7. Stand over to 8th August, 2018.

(PRAKASH D. NAIK, J.)