

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

**CRIMINAL WRIT PETITION NO.4416 OF 2025
WITH
CRIMINAL WRIT PETITION NO.4428 OF 2025**

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Everest Photo Offset Ltd. and Ors.

...Petitioners

V/s.

The State of Maharashtra and Anr.

...Respondents

Mr.Shaunak Sawant i/b. Vidhii Partners (<u>Later on</u>):-	Advocate for Petitioners.
Ms.Gauri S. Rao:-	APP for Respondent No.1 -State in Writ Petition No.4416 of 2025.
Mr.H.J.Dedhia:-	APP for Respondent No.1 -State in Writ Petition No.4428 of 2025.

CORAM : S. M. MODAK, J.

DATE : 20th AUGUST 2025

P. C. :-

1. Today, the matter is listed for '**Fresh Admission**'. No one is present on behalf of the Petitioner / Accused. He is facing trial for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 ("**NI Act**"). I have read the order dated 26th March 2025 passed by the Court of then Metropolitan Magistrate – Girgaon. His Application for setting aside '**No cross order**' dated 15th March 2023

was rejected. In paragraph Nos.2 and 3, the learned Magistrate has quoted the events that led to rejection of the Application.

2. The Revision Application filed by him was also dismissed on 2nd July 2025. If both the Courts are against the Petitioner, there may not be merit in this Petition. However, the Petitioner needs to be heard.

3. If on the next date, the Petitioner will appear, the Court will hear them. Otherwise it will be dismissed.

4. Stand over to **3rd September 2025**. To be listed under the caption for “**Dismissal / Arguments, if any**”.

Later on:-

5. Learned Counsel for the Petitioner appeared when the matter at Sr.No.7 is called out. He tried to explain the events before the trial Court but it seems that he is unable to assist the Court by narrating the correct facts.

6. Stand over to **3rd September 2025**. To be listed under the caption “**Fresh Admission**”.

[S. M. MODAK, J.]