

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 5098 OF 2025

Rishab Dilipkumar Agarwal ...Petitioner

Versus

Kamlesh Jayantilal Jain And Anr ...Respondents

Mr. Bhavesh Thakur, for the Petitioner.

Mr. P. P. Malshe, APP for the State.

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CORAM: N. J. JAMADAR, J.

DATED: 18th DECEMBER, 2025

PC:-

1. Heard the learned Counsel for the petitioner.
2. The learned Counsel for the petitioner submits that the account on which the subject cheque has been drawn, does not stand in the name of the petitioner. A certificate issued by the Axis Bank dated 9th October, 2025 certifying that the account on which the subject cheque appears to have been drawn stands in the name of Mr. Shubham Agrawal, is tendered for the perusal of the Court.
3. An arguable case is made out.
4. Issue notice to the respondents, for final disposal, returnable on 12th February, 2025.
5. The learned APP waives notice for respondent No.2 – State.

6. In addition to notice through Court, the petitioner is at liberty to serve respondent No.1 by private service and file an affidavit of service.

7. In the meanwhile, there shall be an ad-interim relief in terms of prayer clause (c).

[N. J. JAMADAR, J.]