

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).3283/2020

(Arising out of impugned final judgment and order dated 21-08-2019 in CRWP No. 2595/2019 passed by the High Court of Judicature at Bombay)

ALKA KHANDU AVHAD

Petitioner(s)

VERSUS

AMAR SYAMPRASAD MISHRA & ANR.

Respondent(s)

(WITH I.R. and IA No.17367/2020-CONDONATION OF DELAY IN FILING)

Date : 07-02-2020 This petition was called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRAFor Petitioner(s) Mr. Himanshu Shekhar, AOR
Mr. Jamnesh Kumar, Adv.
Mr. Parth Shekhar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel appearing on behalf of the petitioner submits that the cheque on the dishonour of which a complaint was filed under Section 138 of the Negotiable Instruments Act 1881 was issued by the spouse of the petitioner (not by the petitioner) and the account in question was not a joint account.

Issue notice, returnable in six weeks.

In the meantime, there shall be a stay of further proceedings in CC No 2802/SS/2016 pending before the Metropolitan Magistrate, 43rd Court at Borivali, Mumbai only in relation to the petitioner.

(SANJAY KUMAR-I)
AR-CUM-PS(SAROJ KUMARI GAUR)
COURT MASTER