

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4675 OF 2026

Jem Fiscal Limited
through Director Zohra Hakeem ...Petitioner
Versus
Sharan Khanna & Anr. ...Respondents

WITH
WRIT PETITION NO.4676 OF 2026

Jem Fiscal Limited
through Director Zohra Hakeem ...Petitioner
Versus
Tapin Khanna & Anr. ...Respondents

WITH
WRIT PETITION NO.4677 OF 2026

Jem Fiscal Limited
through Director Zohra Hakeem ...Petitioner
Versus
Bharati Khanna (deceased)
through legal heirs Sharan Khanna & Ors. ...Respondents

WITH
WRIT PETITION NO.4678 OF 2026

Zohra Nazir Hakeem ...Petitioner
Versus
Sharan Khanna & Anr. ...Respondents

WITH
WRIT PETITION NO.4679 OF 2026

Zohra Nazir Hakeem

...Petitioner

Versus

Bharati Khanna (deceased)
through legal heirs Sharan Khanna & Ors.

...Respondents

**WITH
WRIT PETITION NO.4680 OF 2026**

Zohra Nazir Hakeem

...Petitioner

Versus

Tapin Khanna & Anr.

...Respondents

Mr. Pranav Bhadeka, Senior Advocate, Mr. Rutvij Solanki, Ms. Pooja Kothari, Ms. Anuja Bhansali and Mr. Prathamesh Bhutada i/b. Rashmikant and Partners, for the Petitioner.

Mr. Kunal Kumbhat a/w. Ms. Himanshi Thakur and Ms. Ananya Thakoor i/b. Ms. Sunanda Kumbhat, for the Respondents.

Mr. S. V. Walve, APP, for the Respondent-State in WP/4675/2026 and WP/4679/2026.

Mrs. Savita M. Yadav, APP, for the Respondent-State in WP/4676/2026 and WP/4680/2026.

Mr. S. S. Ghag, APP, for the Respondent-State in WP/4677/2026.

Mr. P. P. Jadhav, APP, for the Respondent-State in WP/4678/2026.

CORAM: MADHAV J. JAMDAR, J.

DATED : 17th SEPTEMBER 2026

P. C.:

1. In all these Writ Petitions, the challenge is to the orders of learned Additional Sessions Judge passed under Section 148 of the Negotiable Instruments Act, 1881 directing deposit of 30% of the

cheque amount. The details of the said orders in the respective Writ Petitions are as follows:

Sr. No.	Writ Petition No.	Case Number	Date of Order
1.	Writ Petition No.4675/2026	Cri. M.A. No.728/2026 Appeal No.352/2026	01/08/2026
2.	Writ Petition No.4676/2026	Cri. M.A. No.727/2026 Appeal No.353/2026	01/08/2026
3.	Writ Petition No.4677/2026	Cri. M.A. No.726/2026 Appeal No.350/2026	01/08/2026
4.	Writ Petition No.4678/2026	Cri. M.A. No.723/2026 Appeal No.351/2026	01/08/2026
5.	Writ Petition No.4679/2026	Cri. M.A. No.724/2026 Appeal No.349/2026	01/08/2026
6.	Writ Petition No.4680/2026	Cri. M.A. No.725/2026 Appeal No.348/2026	01/08/2026

2. Learned Senior Counsel appearing for the Petitioners states that no reasons whatsoever have been given while passing the impugned orders and therefore, the impugned orders passed are

contrary to the law laid down by the Supreme Court in *Jamboo Bhandari vs. Madhya Pradesh State Industrial Development Corporation Limited & Ors.*¹

3. On instructions, learned Senior Counsel states that without prejudice to the rights and contentions of the Petitioners, an amount of Rs.50,00,000/- (Rupees Fifty Lakh only) will be deposited before the learned Sessions Court by the Petitioner- Jem Fiscal Limited within a period of 30 days from today. The said statement is accepted as undertaking given to this Court.

4. Mr. Kumbhat, learned Counsel appearing for the Respondent submits that in view of the law laid down by the Supreme Court in the case of *Jamboo Bhandari* (supra), the matters be remanded back to the learned Sessions Court.

5. Accordingly, by consent of the parties, the following order is passed:

1 (2023) 10 SCC 446

ORDER

- (a) The impugned orders dated 1st August 2026 passed in respective Criminal Miscellaneous Applications as per the details more particularly set out in the chart in paragraph No.1 are quashed and set aside and the matters are remanded back to the learned Sessions Judge for deciding the said Miscellaneous Applications afresh.
- (b) Till the disposal of the respective Miscellaneous Applications, no coercive steps be taken against the Petitioners.
- (c) Without prejudice to the rights and contentions of the parties, the Petitioner-Jem Fiscal Limited shall deposit an amount of Rs.50,00,000/- (Rupees Fifty Lakh only) before the learned Appellate Court on or before 19th October 2026.

6. The Writ Petitions are disposed of in above terms with no order as to costs.

7. It is clarified that all the contentions of both the parties are expressly kept open.

[MADHAV J. JAMDAR, J.]

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