

ITEM NO.38

COURT NO.15

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 8478-8479/2024

(Arising out of impugned final judgment and order dated 08-11-2023 in CRA No. 1311/2023 01-04-2024 in IA No. 651/2024 passed by the High Court Of Judicature At Bombay)

SHREE SIDDHIVINAYAK DEVELOPERS & ANR.

Petitioner(s)

VERSUS

M/S. KIMAYA WELLNESS LTD. & ANR.

Respondent(s)

(IA No.119421/2024-CONDONATION OF DELAY IN FILING and IA No.119422/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 119422/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(CrI) No. 8480-8481/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 132665/2024
IA No. 132665/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(CrI) No. 8491-8492/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 132855/2024
IA No. 132855/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(CrI) No. 8505-8506/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 132761/2024
IA No. 132761/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(CrI) No. 8494-8495/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 132687/2024
IA No. 132687/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(CrI) No. 8496-8497/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 131736/2024
IA No. 131736/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT)

**SLP(Cr1) No. 8508-8509/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
133141/2024**

**IA No. 133141/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)**

**SLP(Cr1) No. 8498-8499/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
132434/2024**

**IA No. 132434/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)**

**SLP(Cr1) No. 8500-8501/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
131907/2024**

**IA No. 131907/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)**

**SLP(Cr1) No. 8502-8503/2024 (II-A)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
131837/2024**

**IA No. 131837/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)**

**SLP(Cr1) No. 13878-13879/2024 (II-A)
(IA No.137867/2024-CONDONATION OF DELAY IN FILING and IA
No.137868/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)**

**SLP(Cr1) No. 12222-12223/2024 (II-A)
(IA No.137474/2024-CONDONATION OF DELAY IN FILING)**

Date : 21-10-2024 These matters were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**For Petitioner(s) Mr. Samir Arunkumar Vaidya, Adv.
Mr. Anand Dilip Landge, AOR
Mrs. Sangeeta S Pahune Patil, Adv.
Mr. Dinesh H Godara, Adv.
Mr. Sumit Kumar, Adv.
Mr. Rahul Prakash Pathak, Adv.**

**For Respondent(s) Mr. Anuj P. Agarwala, Adv.
Mr. Aayush Agarwala, Adv.
Mr. Nilesh Kumar, Adv.
M/S. Pba Legal, AOR**

**Mr. Aditya Krishna, Adv.
Mr. Siddharth Dharmadhikari, Adv.**

Mr. Aaditya Aniruddha Pande, AOR

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

The petitioner before this Court has already been convicted under Section 138 of the Negotiable Instruments Act and has been sentenced to pay the fine amount of Rs. 10 Lakhs and in default, to suffer imprisonment for three months in a case relating to bouncing of 12 cheques. Presently, his appeal is pending before the Sessions Court, wherein no relief has been granted and the prayer for suspension of sentence has not been allowed.

The petitioner, by this time, had refused to deposit even 20% of the compensation amount. Now, the petitioner states that he has deposited 20% of the cheque amount before the Sessions Court in all the cases.

We do not think it appropriate to interfere in this matter. The Special Leave Petitions are, accordingly, dismissed. However, the petitioner is at liberty to make the same prayer before the court concerned where his appeal is pending and the court shall pass appropriate orders in accordance with law.

The dismissal of the Special Leave Petitions, however, will not prejudice the case of the petitioner before the Sessions Court.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASST. REGISTRAR-CUM-PS

(RENU BALA GAMBHIR)
COURT MASTER