

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**ORDER SHEET**

**Cr.M.P. No.753 of 2015**

Smt. Vandana Jharia **Verses** S.K. Takri

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Registry |
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| 26.8.15 | <p>Shri Wasim Miyan, Advocate under instruction of Shri Sunil Sahu, counsel for the applicant/appellant.</p> <p>Heard on instant Cr.M.P. for grant of leave to appeal against judgment dated 08.6.15 passed by Judicial Magistrate First Class, Durg in Complaint Case No.570/2013, wherein the trial Court acquitted the respondent for the offence under Section 138 of the Negotiable Instruments Act, 1881.</p> <p>For the purpose of hearing on leave to appeal, I have perused the impugned judgment and the documents annexed along with the Cr.M.P. In the considered view of this Court, this is a fit case where leave to appeal be granted.</p> <p>Consequently, the Cr.M.P. is allowed. The Registry is directed to list this matter under the head of acquittal appeal.</p> <p>Records of the Court below be requisitioned through usual and fax mode.</p> <p>Also heard on admission.</p> <p>The acquittal appeal is admitted for consideration.</p> <p>The appellant is directed to pay PF within seven days from now for issuance of notice to the respondent through ordinary and registered mode, returnable within four weeks for the purpose of his representation in the matter.</p> <p>List this matter immediately after service to the respondent is complete.</p> <p>The Cr.M.P. is allowed.</p> <p style="text-align: right;">Sd/-<br/><b>(Chandra Bhushan Bajpai)</b><br/>Judge</p> |          |