

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3317 OF 2014
(Vakil Nagri Sahakari Pat Sanstha Ltd., Osmanabad Vs.
The State of Maharashtra and another)

Mr. Sanjay A. Wakure, Advocate for the applicant
Smt. S.D. Shelke, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 31/03/2015

ORAL ORDER :

1. Heard learned counsel for the applicant. Read the notes of evidence and the impugned judgement.
2. The Branch Manager of the present applicant/complainant herself admitted in cross-examination that the present respondent No. 2 – accused did not stand as guarantor for the next of the loan advanced by the present applicant to the principal borrower. It is throughout the case of the respondent No.2 – accused that he issued the cheque as a guarantee for earlier loan transaction of the year 2003. The present applicant/complainant, however, misused the said blank cheque for showing the same in the next loan transaction of 2008 also. In view of the admission of the

complainant's witness, there is no force in the present application. As no arguable case has arisen, leave to file appeal against the judgement of acquittal, is hereby refused. The application, therefore, stands dismissed.

[M.T. JOSHI]
JUDGE

npj/criapln3317-2014