

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPEAL NO.567 OF 2002

Balaji Finance and Investments
Corporation Limited Gangakhed,
Tq-Gangakhed, Dist-Parbhani,
Reg. No.58, Through its Manager,
Pandurang Dnyanoba Batakulwar,
Age-32 years, Occu:Manager, Service,
R/o-Gangakhed, Dist-Parbhani.

...APPELLANT

VERSUS

- 1) Washishta s/o Pandharinath Shinde,
Age-46 years, Occu:Agril.,
R/o-Lasina Via Sonpeth,
Tq-Gangakhed, Dist-Parbhani,
- 2) The State of Maharashtra.

...RESPONDENTS

...

None present for Appellant.

None present for Respondent No.1.

Mr.D.V. Tele, A.P.P. for Respondent No.2.

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CORAM: A.I.S. CHEEMA, J.

DATE : 12TH JANUARY, 2015

ORDER :

1. This Appeal against acquittal was admitted on 14th November 2003. Thereafter, record shows that none was appearing for the Appellant - original complainant. This Appeal relates to matter under Section 138 of the Negotiable Instruments Act. As none was appearing for the Appellant, Court notice was issued. Record shows that it was reported that Balaji Finance Company was closed since 10 years and the Manager was not found and notice was served on Director, namely Ramesh Digambar. Still, no appearance has been caused for Appellant - original complainant.

2. The Respondent - accused is also not present.

3. There is no one to prosecute Appeal on behalf of the Appellant - complainant and existence of the Appellant itself is not clear.

4. In the circumstances, the Appeal is dismissed for want of prosecution. In the result, the impugned order of acquittal of the Respondent - accused will stand.

[A.I.S.CHEEMA, J.]

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