

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3307 OF 2015

Irfan Ismail Qureshi ..Applicant

Versus

Chandrakant Dashrath Kokare
and anr. ..Respondents

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Mr.R.A.Tambe, advocate for applicant

Mr.K.N.Shermale, advocate for respondent no.1

Mr.P.N.Kutti, APP for respondent no.2

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CORAM : M.T. JOSHI, J.

DATE : DECEMBER 02, 2015

PER COURT :

Heard both sides.

2] The agreement would show that present respondent no.1/accused has informed that there was no loan or finance over the vehicle in question. However, lateron, it was revealed to the applicant/complainant that the vehicle in question was financed by a financial corporation

and therefore, its name was in the Registration Certificate.

3] In that view of the matter, upon perusal of the contents of the agreement and reasons forwarded by learned Judicial Magistrate F.C., it appears that an arguable case is made out.

4] In the circumstances, leave to file appeal is hereby granted. Present application is allowed and disposed of as such. Appeal be registered as per due procedure of law.

5] Appeal is **admitted**.

6] Learned counsel for respondent no.1 and learned A.P.P. for respondent no.2 waive notice for respective respondent upon admission.

7] Action under Section 390 of the Code of Criminal Procedure be taken against respondent no.1.

8] The concerned learned Judicial Magistrate F.C. to release respondent no.1/accused on bail upon his executing P.R. Bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount in order to secure his further presence in the appeal.

[M.T. JOSHI, J.]

kbp