

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3882 OF 2014

Shri Chhatrapati Shahu Urban
Co-op Bank Ltd., Beed Branch,
Main Branch Jalna Road, Beed,
through Branch Manager,
Shri Bhagwan Eknath Pawar,
Age 41 years, Occu. Service,
R/o Beed, Tq. And Dist. Beed. ...Applicant

versus

Ankush S/o Gopinath Ghogare,
Age 44 years, Occu. Labour,
R/o Hotel Prerna at post Rajuri(N)
Ta. Beed Dist. Beed. ...Respondent

.....

Mr. L.H. Kawale, Advocate holding for
Mr. K.J. Surywanshi, Advocate for Applicant
Mr. C.V. Dharurkar, Advocate for respondent - Absent

.....

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

DATED : 16th FEBRUARY, 2015

Order :-

1. Heard learned counsel for the applicant. Learned counsel for respondent - original accused is not present. Perused the record.
2. Learned counsel for the applicant submits that applicant-complainant is the bank and the respondent-

accused was guarantor and for outstanding amount of the principal, a cheque was issued and bounced.

3. Considering the Judgment of the trial Court, there appears to be an arguable case which requires this Court to reconsider and re appreciate the evidence. As such, leave is granted.

4. Application be converted into appeal.

5. ***Appeal is Admitted.***

6. Action under Section 390 of Code of Criminal Procedure be taken against the respondent original accused in the trial Court and brief compliance report be called.

7. Paper Book be got prepared.

(A.I.S. CHEEMA, J.)

MTK