

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4289 OF 2014

Govind Gopal Kharat

.. Applicant

Vs.

Rajendra Chandulal Tiwari

.. Respondent

Mr. M.D. Joshi, Advocate for the applicant
None present for the respondent though served.

CORAM : M.T. JOSHI, J.

DATE : 26/10/2015

ORAL ORDER :

1. Heard Mr. Joshi.
2. None appears for the respondent though duly served.
3. The reasoning forwarded by the learned Judicial Magistrate First Class, Ahmednagar while acquitting the present respondent from the offence punishable under section 138 of the Negotiable Instruments Act principally is that, according to the complainant, he had given hand-loan in cash against the provisions of the Income Tax Act.

4. Considering the fact that arguable case is made out, leave to file appeal is hereby granted. Application is accordingly disposed of.

5. Appeal be registered as per the due procedure of law.

[M.T. JOSHI]
JUDGE

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