

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

CRIMINAL APPLICATION NO.4030 OF 2013

Vijayanand Kondiram Tambare ... APPLICANT

VERSUS

Suresh Madhavrao Adsul ... RESPONDENT

.....
Shri S.N. Patil, Advocate holding for
Shri N.V. Gaware, Advocate for applicant
Shri P.B. Kadam, Advocate holding for
Shri S.J. Salunke, Advocate for respondent
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CORAM: A.I.S. CHEEMA, J.

DATED: 13th January, 2015.

ORAL ORDER :

1. Heard counsel for applicant as well as counsel for respondent. Counsel for applicant submitted that the respondent- accused had taken hand loan of Rs.3,75,000/- on 23.7.2010 and issued cheque. The loan was taken to buy a tractor. The cheque subsequently bounced and hence the case was filed.

2. The respondent - accused contended that he had

obtained the loan of only Rs.50,000/- and the blank cheque issued was misused by the applicant - complainant.

3. The trial Court discussed the evidence brought by both the sides. It noticed that on one side the applicant examined one Pawan Gaikwad to claim that amount of Rs.3,75,000/- was given as loan to the accused. On other side, the accused had examined one Sanjay Adsul to support the case that only amount of Rs.50,000/- had been paid for purchase of tractor. The trial Court discussed the evidence brought on record, and weighing evidence of both sides, found that the case of the complainant was doubtful. The present matter relates to appreciation of evidence and on the given evidence, the trial Court has taken a view. No perversity is found in the reasoning and finding recorded by the trial Court. There is no case to interfere. The application is rejected.

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