

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

CRIMINAL APPLICATION NO.4271 OF 2015

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CRIMINAL APPLICATION NO.4270 OF 2015

Nandkumar s/o Asaram Shejul ... APPLICANT

VERSUS

The State of Maharashtra
and others ... RESPONDENTS

.....
Shri P.M. Hiwale, Advocate for applicant
Shri K.D. Mundhe, A.P.P. for State
.....

CORAM: M.T. JOSHI, J.

DATED: 13th October, 2015.

ORAL ORDER :

1. Heard Mr. Hiwale, learned counsel for the applicant.
The respondents were acquitted by the learned Judicial
Magistrate, First Class, Khultabad for the offence punishable
under Section 138 of the Negotiable Instruments Act interalia for
the reason that the material was supplied by the present
applicant/ complainant of lift irrigation system to the respondent/

accused. The learned counsel makes a statement that the District Consumer Forum has ordered the present applicant to pay compensation of Rs.10,000/- to the respondents. Upon query, he also submits that the appeal filed against the said order is also dismissed.

2. The learned Judicial Magistrate, First Class has taken into consideration the decision of the Consumer Forum, Aurangabad and has acquitted the accused.

3. Since the reasonable and probable view has been taken by the the learned Judicial Magistrate, First Class, grant of leave to file appeal would be an exercise of futility. The Criminal Application for condonation of delay as well as the Criminal Application for leave to file appeal are hereby dismissed.

(M.T. JOSHI, J.)