

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4819 OF 2012
(Anil Damodhar Bansode Vs. Kailas Ramchandra Mahamuni
and another)

Mr. M.P. Tripathi, Advocate for the applicant
Mr. N.V. Gavare, Advocate for respondent No.1
Mr. V.P. Kadam, A.P.P. for respondent No.2/State

CORAM : M.T. JOSHI, J.
DATE : 24/04/2015

ORAL ORDER :

1. Heard both sides.
2. The present applicant is the complainant in a complaint which was filed for the offence punishable under section 138 of the Negotiable Instruments Act. The learned Judicial Magistrate First Class has taken into consideration the examination-in-chief of the complainant himself in which he has admitted that for the sake of security purpose only, he has accepted the cheque. The learned Judicial Magistrate First Class has found that the complainant is in habit of accepting the blank cheques for the sake of security purpose. In that view of the matter, grant of leave to file appeal

against acquittal of the respondent No. 1, would be an exercise in futility. The application is, therefore, dismissed.

[M.T. JOSHI]
JUDGE

npj/criapln4819-2012