

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO.6429 OF 2013

Ravindra Rajaram Belambe ..Applicant

Versus

Shivajirao Trimbakrao Baingire ..Respondent

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Mr.F.K.Patel, advocate i/b. Mr.R.P.Adgaonkar,
advocate for applicant

Mr.S.C.Swami, advocate i/b. Mr.V.D.Gunale,
advocate for respondent no.1

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CORAM : M.T. JOSHI, J.

DATE : APRIL 06, 2015

PER COURT :

Heard both sides.

2] Upon hearing both sides, it is found that learned Judicial Magistrate F.C. has come to the conclusion that the cheque was issued and the same was dishonored. However, learned Judicial Magistrate F.C. came to the conclusion that there was no legally enforceable liability.

3] Considering the material on record and arguments from both the sides, in my view, arguable case is made out.

4] In the circumstances, leave to file the appeal is hereby granted. Present application for grant of leave to file appeal, is allowed.

5] Appeal is **admitted**.

6] Action under Section 390 of the Code of Criminal Procedure be taken.

7] The respondent to appear before learned Judicial Magistrate F.C. on 30th April, 2015, who shall release him on bail upon his executing P.R. Bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount, in order to secure his presence in

this Court lateron and send compliance report to this court on or before 7th May, 2015.

8] Authenticated copy of this order be provided to the parties requesting therefor.

[M.T. JOSHI, J.]

kbp