

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.245 OF 2013
(For Leave To Appeal)

Dattatraya Manohar Sakpal .Applicant

v/s.

Mrs. Anita Shridhar Shinde & anr. .Respondents

None for the Applicant

Mr.V.B.Tapkir, Advocate, for the Respondent No.1

Mr.J.H.Ramugade, APP, for the Respondent No.2 –
State

CORAM : SMT.ANUJA PRABHUDESSAI, J.

DATE : 15.10.2015

P.C.

. None present for the applicant even on
second call.

2. The applicant herein is the complainant
in C.C.No.4857 of 2006 filed before the learned
JMFC, Pimpri, Pune for the offence punishable
under Section 138 of the Negotiable Instruments
Act, 1881 (Hereinafter referred to as
'N.I.Act'). The learned Magistrate has dismissed

the complaint on the ground that the applicant/complainant had failed to issue statutory notice under Section 138(b) of the N.I.Act as required.

3. Having gone through the impugned Judgment and considering the material on record, in my considered view, the findings are neither illegal nor perverse. Hence, I do not find any reason to interfere with the same.

4. The Application is, therefore, dismissed. Leave rejected.

(ANUJA PRABHUDESSAI, J.)