

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

**CRIMINAL APPLICATION NO.329 OF 2015
WITH
CRIMINAL APPLICATION NO.330 OF 2015**

M/s. M.F. Global Sify Securities India
Pvt. Ltd.

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

.....

Ms Purvi Joshi i/b. M/s. MDP Partners for the Applicant.
Mr. Harshad Bhadbhade for Respondent No.2.
Ms R.V. Newton, APP for Respondent No.1 – State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 28th SEPTEMBER, 2015.

P. C. :

Heard the learned counsel for the Applicant and Respondent No.2. Respondent No.2 has been acquitted of the offence punishable under section 138 of the Negotiable Instruments Act, mainly on the ground that the cheque return memo does not bear the official mark of the Bank and hence, dishonour of the cheque was not proved. Arguable points are raised. Hence, leave is granted. The Appeal is admitted.

2. Respondent No.2 to furnish bond to the tune of Rs.15,000/- with one surety in the like amount to the satisfaction of the learned Magistrate, 20th Court, Sewree.

(ANUJA PRABHUDESSAI, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed Judgment /order.