

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1152 OF 2013
IN
CRIMINAL APPEAL NO.1527 OF 2011

WITH
CRIMINAL APPEAL NO.1527 OF 2011

Damodar Bhikling Lingayat	..Applicant
<i>Versus</i>	
The State of Maharashtra and another	..Respondents

WITH
CRIMINAL APPLICATION NO.1153 OF 2013
IN
CRIMINAL APPEAL NO.1528 OF 2011

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....
Mr. Pramod J. Pawar, for the Applicant.
Mr. Rajesh B. Parab, for Respondent No.2.
Mrs. P.P. Bhosale, APP, for the State
....

CORAM : A. R. JOSHI, J.

DATE : 22nd JULY, 2015

P.C.

1. Present applications are not maintainable which are taken by the original complainant for bringing the legal heirs of the acquitted accused on record in the present proceedings in

which the challenge is to the acquittal of the original accused under Section 138 of Negotiable Instruments Act. The cause as against the legal heirs does not survive on the death of the original accused who was earlier acquitted. As such, the entire matter as against original accused – respondent had already abated on his death. Hence, the present proceedings are closed and disposed of accordingly.

(A. R. JOSHI, J.)

Deshmane (PS)