

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

CRIMINAL APPLICATION NO. 940 OF 2012

State Bank of India

... Applicant.

V/s.

Mr. Akhilesh Pandey & Anr.

... Respondents.

None for the Applicant.

Mr. D. R. More, A.P.P. for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 09th JUNE, 2015

P.C. :

1 Perused the impugned order. The impugned order reads as under :

“Order below Exh. 1: Complainant and advocate both are absent since long. No steps taken since last many dates. Matter is very old. Hence, the case is dismissed u/s. 256 Cr.P.C. for absence of the complainant and for want of prosecution. Accused acquitted. Case papers be filed.”

2 It is very clear that the impugned order is appealable. Therefore, the applicant should have filed an appeal and not the criminal application.

3 In any event, since none is present for the applicant, this criminal application stands dismissed for want of prosecution.

(JUDGE)

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