

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION [ALP] No. 451 of 2015

BHALCHANDRA BABOORAO BHANDARI ...Applicant.
V/S
MANOHAR BABOORAO BHANDARI AND ANR ...Respondents.

....

Mr. Ashish Bhandari i/b. Dattatray A. Adarkar, for Applicant.
Mrs. Anamika Malhotra, APP, for the State.

....

CORAM : A. R. JOSHI, J.

DATE : 13th OCTOBER, 2015

P.C.

1. Heard learned Counsel for the applicant/appellant. Apparently this is an application for leave to file appeal challenging the acquittal of the respondent in the matter of offences punishable under Sections 468, 471 and 420 of IPC.

2. The impugned judgment and order of acquittal is passed by the Metropolitan Magistrate, Court No.52, Kurla, Mumbai on 27.7.2015. Said judgment and order was passed in Criminal Case No.93/P/2000 registered on police charge-sheet filed by the RCF Police Station. Present applicant is the defacto complainant.

3. In view of the above factual position, present appeal is required to be taken before the concerned Sessions Court as per proviso to Section 372 of Cr.P.C. and in that event the present matter cannot be entertained here at High Court level. Accordingly present application is disposed of with liberty to the applicant to take appropriate course of action.

(A. R. JOSHI, J.)

Deshmane (PS)