

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (ALP) NO.505 OF 2013
WITH
CRIMINAL APPLICATION (ALP) NO.507 OF 2013
WITH
CRIMINAL APPLICATION (ALP) NO.508 OF 2013

Virendra R. Kapoor V/s. Sharad A.garawlla & Ors.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr.Nikhil K. Chaudhari, for applicant-appellant.
Mr.A.R. Patil, APP for Respondent-State.

CORAM : A.R. JOSHI, J.
DATE : 10TH JULY 2015

P.C.:

1. All the three matters are taken on circulation for today's board. There was connected matter bearing Criminal Application No.506 of 2013. It was application for leave to file appeal challenging the acquittal of the respondent no.1 in the matter of offence punishable under section 138 of Negotiable Instruments Act. The issue involved in that matter and in the present three matters is the same as the acquittal of respondent no.1. The acquittal was on the ground that the complaint under section 138 of Negotiable Instruments Act was filed by the power

of attorney holder and it was held not valid by the Trial Court. Apparently, this issue has already been decided by the Supreme Court as reported by the learned counsel for the applicant.

2. The connected application no.506 of 2013 was allowed by this court vide order dated 22th June 2015 and appeal was admitted and process under section 390 of Cr.P.C. was initiated against respondent no.1. The same respondent no.1 in that matter is also respondent no.1 in present three matters. In all the three matters the respondent no.1 be served on the new address. The new address of respondent no.1 to be incorporated in the title clause. Amendment is allowed to that effect.

3. The applications for leave to file appeal in all three present matters, are allowed. The said applications be treated as memo of appeals and be numbered accordingly. All the three appeals are admitted. Call for R & P.

4. Process under section 390 of Cr.P.C. be initiated

against respondent no.1 at the new address to be given by the applicant by way of amendment.

5. The Trial Court is directed to release said respondent no.1 on bail in the sum of Rs.500/- in each matter. As such the application for leave are disposed of. All the four matters be tagged together.

(A.R. JOSHI, J.)