

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

CRIMINAL APPLICATION NO. 1488 OF 2012

Nirali Co-op. Credit Soc. Ltd. .. Applicant

v/s.

Bhaskar M. Gaikwad & Anr. ..Respondents

Mr. S.R. Gupta for the applicant

Mr. N.R. Tiwari for the respondent no.1.

Mr. J.H. Ramugade, APP for the respondent State

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 22nd SEPTEMBER, 2015.**

P.C.

1. Heard the learned Counsel for the applicant and learned Counsel for the respondent no.1.

2. The applicant herein is the complainant in C.C. No.891/SS/2009 filed before the learned Magistrate, 20th Court, Mazgaon, Mumbai under Section 138 of the N.I. Act. The records reveal that the learned Magistrate has acquitted the accused mainly on the ground that the PW-1 is not authorized to depose on behalf of the complainant-Society. The issue needs to be

adjudicated on merits. Hence, application for leave to appeal is granted. Admit.

3. To be placed on board as per CMIS date.

(ANUJA PRABHUDESSAI, J.)

Certificate

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