

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.750 OF 2013
IN
CRIMINAL APPLICATION NO.221 OF 2013

S.M. Electronics	..Applicant
<i>Versus</i>	
Nitin Bhanudas Deval and another	..Respondent

....
Mr. Vaibhav Gaikwad i/b. A.M. Kulkarni, for the Applicant.
Mr. Harshad Sathe i/b. Adv. Saurabh, for Respondent No.1.
Mr. A.R. Patil, APP, for the State.

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CORAM : A. R. JOSHI, J.

DATE : 22nd JULY, 2015

P.C.

1. Heard rival submissions on this application for restoration of the earlier dismissed application for leave to file appeal. For the reasons mentioned in the application, the same is allowed. The earlier disposed of application No.221 of 2013 is restored to the file. Application is disposed of accordingly.

2. In the said application No.221 of 2013 the challenge is to the order of acquittal passed by the first Appellate Court thereby acquitting the respondent by reversing the order of

conviction passed by the J.M.F.C. for the offence punishable under Section 138 of Negotiable Instruments Act. The issue whether the order of acquittal by the appellate Court can be challenged under section 378 (4) of Cr.P.C. is pending in various other group matters and all those group matters are fixed on 23rd July, 2015. Hence, stand over to 23rd July, 2015, to be taken along with ALP No.269 of 2014 and other connected matters.

(A. R. JOSHI, J.)

Deshmane (PS)