

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 220 OF 2016

M/s Chinnubhai Chimmanlal & Co.,
Through its Proprietor,
Shri Sameer Lalit Shah

...Applicant

versus

M/s Arunkumar Vishwanathappa Deone

...Respondent

.....
Mr. Mukul S. Kulkarni, Advocate for applicant
Mr. C. R. Deshpande, Advocate for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 21st MARCH, 2016

ORAL ORDER :

The applicant-original complainant suffered an order of acquittal of accused-respondent in the proceedings under Section 138 of the Negotiable Instruments Act at an appellate stage, though learned Magistrate convicted the accused.

2. In my opinion, the issue as regards Section 139 of the Negotiable Instruments Act needs to be reconsidered. Hence, leave to appeal stands granted.

3. Appeal **Admit.**

4. Learned Counsel waives service for respondent.
5. Action under Section 390 of Criminal Procedure Code to follow.
6. Interim relief granted earlier to continue.

[N.W. SAMBRE, J.]