

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

CRIMINAL APPLICATION NO.985 OF 2015

Jogeshwari Akhada Vividh Karyakari
Seva Society, through its Secretary,
Shivaji s/o Pandurang Khamkar
r/o Jogeshwari Akhada, Rahuri,
District Ahmednagar

..Applicant

Versus

Samarth Trading Company,
through its Proprietor
Anil Sonyabapu Todmal,
R/o Devalali Pravara,
Taluka Rahuri, Dist.Ahmednagar
at present r/o Rahuri (Bk),
Krishi Utpanna Bazar Samiti,
Rahuri, Shop No.18,
Taluka Rahuri, Dist.Ahmednagar

..Respondent

Mr S.D. Kotkar, Advocate for applicant
Mr P.S. Koshti, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 22nd March 2016

PER COURT

Heard.

2. In my opinion, the issue of presumption under Section 139 of Negotiable Instruments Act needs to be considered in the present case.
3. In view thereof, leave granted. Application be treated as appeal.
4. Admit. Mr Koshti, learned Counsel waives notice for respondent.
5. Action under Section 390 of Cr.P.C. to follow.

(N.W. SAMBRE, J.)

vvr