

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1387 OF 2015
Nihalchand s/o. Amolkchand Sethi (died through Lrs.)
Vs.
Maharashtra Feed Agency and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr.A.S.Gandhi, advocate for applicants
Mr.D.K.Kulkarni, advocate for respondent
no.4
Mr.A.U.Deshmukh, advocate for respondent
no.5

CORAM : M.T. JOSHI, J.
DATE : FEBRUARY 15, 2016

PER COURT :

Heard.

2] Learned counsel for the applicants,
on instructions, seeks withdrawal of the
present application as regards respondent
nos.3 and 5 with liberty to file Criminal
Revision Application in the sessions
court.

3] Allowed to withdraw and disposed of
as regards respondent nos.3 and 5 with
liberty as prayed for.

4] Considering the material on record and the issue, as to whether present respondent no.4 could have been acquitted by the learned trial Court in a proceedings under Section 138 of the Negotiable Instruments Act on his plea that he has retired from the partnership firm, leave to file the appeal is hereby granted.

5] The respondents would be at liberty to take defences including the defence that has arisen due to passing of the order dated 13th October, 2015 by this Court.

[M.T. JOSHI, J.]

kbp