

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

CRIMINAL APPLICATION NO. 3168 OF 2014

Vitthal Devjibhai Patel

...Applicant

versus

Dilip Rama Naik

...Respondent

.....

Mr. A.S. Savale, Advocate for applicant

Ms. Chinmayee Deshpande, Advocate h/f

Mr. S.V. Natu, Advocate for respondent

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CORAM : N.W. SAMBRE, J.

DATE : 14th MARCH, 2016

ORAL ORDER :

In the judgment of acquittal, learned Magistrate, in my opinion, has not satisfactorily recorded reasons for discharging burden by original accused demonstrating that the cheque was not issued for admitted debt.

2. In view of above, leave to file an appeal stands granted.
3. Appeal ***Admit.***
4. Learned Counsel appearing on behalf of respondent

waives service for him.

5. Action under Section 390 of Code of Criminal Procedure
to follow.

[N.W. SAMBRE, J.]