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

CRIMINAL APPLICATION NO.4396 OF 2015

M/s Kannad Enterprises

..APPLICANT

VERSUS

Manikchand Chandulal Borana

..RESPONDENT

Mr S.J. Salunke, Advocate for applicant;

Mr S.R. Choukidar, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 26th September, 2016

ORAL ORDER :

After hearing the respective Counsel, it is required to be observed that *prima facie*, findings recorded in paragraphs 25 and 26 are contrary to the view expressed by the Division Bench of this Court at principal seat, in the matter of **Dinesh Chokshi & ors. vs. Rahul Vasudeo Bhatt & anr.**, reported in **2013 STPL (DC) 654 Bom.**

2. In view thereof, leave granted.

3. **Admit.**

4. Mr Choukidar, learned Counsel waives service of notice on behalf of respondent.

5. Action under section 390 of the Code of Criminal Procedure.

(N.W. SAMBRE, J.)

amj