

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5773 OF 2014

Hanmant S/o Manikrao Birajdar .. Applicant

Vs.

Dr. Vijaysingh S/o Prakash Borade .. Respondent

Mr. H.V. Tungar, Advocate for the applicant

Mr. S.P. Urgunde, Advocate for the respondent

CORAM : M.T. JOSHI, J.

DATE : 15/01/2016

ORAL ORDER :

Heard both sides.

2. Considering the legal issues involved in the present case, as to whether the liability can be called as legally enforceable liability or not, in my view, an arguable case is made out in the present application for leave to file appeal against the recording of acquittal of the respondent in a proceeding under section 138 of the Negotiable Instruments Act.

3. In the circumstances, leave to file appeal is hereby granted.
4. Appeal be registered as per the due procedure.
5. Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

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