

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 6009 OF 2014

M/S. NARENDRA TYRES KOPARGAON
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Abhijeet A. Pimpalwadkar.
APP for Respondent No.1 : Mr. S. D. Ghayal.

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CORAM : **INDIRA K. JAIN, J.**

DATE : 01st April, 2016.

P.C.:

. This is an application under Section 378 (4) of the Code of Criminal Procedure for grant of leave to appeal against the judgment and order dated 21st August, 2013 passed by the learned Additional Sessions Judge, Kopargaon in Criminal Appeal No.4 of 2010. By the said judgment and order learned Additional Sessions Judge acquitted the Accused of the offence punishable under Section 138 of the Negotiable Instruments Act on the ground of settlement. Being aggrieved by the order of acquittal original Complainant has preferred this application.

2 Heard Mr. Abhijeet A. Pimpalwadkar, learned counsel for Applicant. None for Respondent No.2. Perused the impugned order. This Court finds that Applicant has an arguable case. Hence the

following order –

ORDER

- I. Criminal Application No.6009 of 2014 is allowed.
- II. Appeal is **Admitted**.
- III. Action under Section 390 of the Code of Criminal Procedure.

[INDIRA K. JAIN, J.]

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