

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5603 OF 2013
(Jayshri Urban Co-operative Credit Society Ltd. Vs.
Renuka Dhirendrasing Thakur)

Mr. T.M. Tandale, Advocate holding for Mr. A.B. Kale,
Advocate for the applicant

Mr. N.B. Patekar, Advocate holding for Mr. P.R.
Katneshwarkar, Advocate for the respondent

CORAM : M.T. JOSHI, J.

DATE : 11/02/2016

ORAL ORDER :

1. Heard both sides.
2. Perused the reasons forwarded by the learned Judicial Magistrate First Class. The learned Judicial Magistrate First Class has acquitted the respondent from the offence punishable under section 138 of the Negotiable Instruments Act as the witness of the applicant/complainant – Cooperative Society failed to mention the fact of issuance of the cheque by the accused/respondent towards surety and deposed only regarding loan transaction.

. In that view of the matter, arguable case is made out by the applicant. In the circumstances, leave to file appeal is hereby granted. The present application is accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/criapln5603-2013