

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.822/2015

(Lata w/o Dilip Andhare.vs.M/s.Anuj Mines Minerals and Chemicals Pvt. Ltd. & ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A. V. Muley, Advocate for applicant.

CORAM : A. B. CHAUDHARI, J.

DATE : FEBRUARY 2, 2016

Heard learned counsel for the applicant.

There is a prayer for quashing of complaint under Section 138 of the Cr.P.C. on the ground that the applicant has already resigned from the post of Director of the Company and no liability could be saddled on her. Consequently, proceeding under Section 138 of Cr. P. C. has rendered as abuse of process of law.

I have considered the submissions made by learned counsel for the applicant that a mixed question of facts and law is involved in the present matter. But then the trial Judge can apply its mind to find out whether the applicant can be discharged in absence of proper material.

In view of above, Criminal Application No.822/2015 is not entertained and disposed of reserving liberty in favour of the applicant to take such steps as are available in law.

JUDGE