

HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

Criminal Misc. Petition No. 148 of 2017

Dharam Das Meghani, S/o Late Sugnamal Meghani, aged about 63 years, Proprietor Jai Ambe Agro Industries, Gudiyari, P.S. Gudiyari, District Raipur (C.G.)

... Petitioner

Verus

Ram Gupta @ Ramchandra Gupta, S/o Chote Lal Gupta, R/o A/51, Dhebar Steel City, Avanti Vihar (Gayatri Nagar), behind Jagannath Temple, P.S. Telibandha, Tahsil and District Raipur (C.G.)

... Respondent

02/02/2017	Mr. Abhishek Vinod Deshmukh, Advocate, for the Petitioner-Appellant. Heard on application for grant of leave to appeal. The present application has been preferred seeking leave to appeal against the order dated 30.11.2016 passed by the Judicial Magistrate First Class, Raipur, in Complaint Case No. 919 of 2013. Considering the prima face undisputed fact of the case that the cheques issued by the Respondent in favour of the Petitioner is not in dispute, signatures on the cheques is also not in dispute, similarly as per the agreement there were three cheques which were issued by the Respondent in favour of the Petitioner of which one was honoured and the other two were dishonoured which itself shows that there were some financial transactions between the parties which was existing and for which the cheques were issued by the Respondent in favour of the Petitioner, a prima facie strong case has been made out for grant of leave to appeal. Accordingly, the present application for grant of leave to appeal is allowed.	

Registry is directed to register the present case as a regular Acquittal Appeal.

The Acquittal Appeal is also admitted for hearing.

Let notice be issued to the Respondent on payment of process fee by ordinary as well as registered mode, within a period of seven days from today.

List this case for further consideration immediately after the Respondent is served.

Meanwhile, record of the Court below be also requisitioned.

Sd/-
(P. Sam Koshy)
JUDGE