

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

CRIMINAL APPLICATION (APPA) NO.239 OF 2015

IN

CRIMINAL APPEAL NO.....OF 2015

Rukhmabai Ramkrishna Ganjude

..VS..

Sayyad Ayaj Ali Makadum Ali

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

Court's or Judge's Order

Shri A.P. Chorghade, Counsel for the applicant.

CORAM : V.M. DESHPANDE, J.

DATED : JULY 6, 2017.

Heard learned counsel Shri A.P. Chorghade for the
applicant.

The present application for seeking leave to file
appeal is by the original complainant.

The proceedings under Section 138 of the
Negotiable Instruments Act, 1881 were filed by the present
applicant. The applicant entered into the witness-box to
substantiate her case. She was cross-examined by learned
counsel for the non-applicant. In her cross-examination, the
present applicant has candidly admitted that she has received
entire amount of consideration from present non-applicant
Sayyad. She has also admitted that there was no due against the

non-applicant. She has further admitted that no amount is due towards the non-applicant/accused. She has further admitted that these facts were not brought to the notice of her own Advocate before filing of the case.

In that view of the matter, in my view, learned Judge of the Court below has rightly dismissed the complaint.

No interference is necessary. The application is dismissed and disposed of. Leave is refused.

JUDGE

!! BRW !!