

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

CRIMINAL APPLICATION (APPA) NO.409/2017

Prashant s/o Himmatrao Jawarkar ..vs.. Dr. Ganesh s/o Pandurang Vasu

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

Court's or Judge's orders.

Mr. N. B. Jawade, Advocate for applicant.

Mr. U. J. Deshpande, Advocate for non applicant.

CORAM : V.M. DESHPANDE, J.

DATED : JULY 7, 2017

Heard learned counsel for parties.

The present application is seeking leave to file appeal filed by the original complainant. The learned Magistrate vide judgment and order dated 16.03.2017 not only dismissed the complaint filed on behalf of the present applicant but also directed that the applicant should pay Rs.25,000/- by way of compensation to the non applicant.

With the assistance of the learned counsel for the non applicant, I have gone through the judgment and order passed by the learned Magistrate. No fault can be located in the judgment and order acquitting the non applicant. Hence, the present application seeking leave to file appeal to the extent of acquittal of the non applicant is rejected.

However, the application is allowed only to the extent of challenging the order giving a direction to the present applicant to give compensation to the non applicant-accused.

Criminal Appeal No. ____/2017

Heard.

The appeal is **Admitted** only to the extent of granting compensation to the respondent. The appeal challenging acquittal of the respondent is dismissed.

Ad interim relief granted in favour of the appellant stands confirmed.

Mr. Deshpande, learned counsel for the respondent waives notice.

JUDGE