

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.58 OF 2016
(For Leave to Appeal - Private)**

Jasmina Bhikhalal Parekh
Through her daughter and constituted
Attorney Archana Bhikhalal Parekh ... **Applicant**
V/s.
Paras Gunwantray Buddhadev & Anr. ... **Respondents**

.....

Mr.Kishor N. Bhatia, Advocate for the Applicant.

Ms.S.S.Kaushik, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 26th JULY 2018.

P.C. :

- 1 None for the respondent No.1 despite service.
- 2 Heard the learned Advocate appearing for the applicant/original complainant. He pointed out that in identical matter which was the complaint filed by the Trust, this court has granted leave to appeal vide Order dated 23rd June 2018 passed in Criminal Application No.57 of 2016. The learned Advocate further submitted that the case in hand is in respect of the another complaint filed by the Trust in respect of the same transaction.

3 As in connected matter, leave has already been granted, the following Order :

ORDER

- (i) Leave, as prayed, is granted.
- (ii) The application for leave to appeal be considered as Memo of Appeal on effecting necessary amendments. Leave to amend to that effect is granted.
- (iii) Issue notice to respondents.
- (iv) The learned Additional Public Prosecutor wavier notice for the respondent/State.
- (v) Admit.
- (vi) Call for Record and Proceedings.
- (vii) In the meanwhile action under Section 390 of the Criminal Procedure Code before the learned trial Court.
- (viii) Put up for final hearing in due course along with Criminal Appeal No.589 of 2017.

(A.M.BADAR J.)

Raju
Dattatraya
Gaikwad

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Gaikwad RD