

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 77 OF 2018
Satish S. Patil vs. Bhagyashree H. Patil and anr.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Nikhil Pawar i/by N.Y.Chavan for the applicant.
Mr. Y.Y. Dablee, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.
DATE : 09th March, 2018

P.C.

1. This is an application for leave to file appeal against the Judgment and Order dated 21.6.2017 passed by the Judicial Magistrate First Class, Islampur below Exh.1 in Summary Criminal Case No.681 of 2013 thereby dismissing a complaint preferred by the applicant under Section 138 of the Negotiable Instruments Act under Section 256 of the Cr.PC.

2. The record indicates that the applicant being the complainant filed the said complaint bearing SCC No.681/2013 on 5.10.2013 before the Trial Court. Despite granting repeated opportunities the applicant did not take proper steps to proceed with the complaint and as per the record from 16.8.2014 the applicant remained continuously absent before the Trial Court. It therefore, appeared to the Trial Court that the applicant is not

interested in pursuing the complaint. As the applicant failed to take necessary steps since last 4-years, the Trial Court was constrained to dismiss the complaint by the impugned order.

3. After perusing the record, this Court is of the considered view that, the Trial Court has not committed any error either in law or on facts while passing the impugned order.

4. The application being devoid of any merits is accordingly rejected.

(A.S.GADKARI, J.)