

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.470 OF 2017

IN

CRIMINAL APPEAL NO.834 OF 2015

VASHULAL MADHAVDAS TALREJA)
 Since deceased, Through Legal Heirs)
 SMT.POONAM VASHULAL TALREJA & ORS.)...APPLICANTS

V/s.

VANDANA SURESH PUNWANI AND ORS.)...RESPONDENTS

Mr.Amar Talreja, Advocate for the Applicants.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 23rd FEBRUARY 2018

P.C. :

1 This is an application for leave to prosecute the appeal
on death of the appellant by his wife and two daughters. Heard
the learned Advocate for applicants as well as the learned APP.
The appeal is challenging the acquittal of the respondent of the
offence punishable under Section 138 of the Negotiable

Instruments Act. The appellant/original complainant, as seen from the Death Certificate annexed to the application, died on 24th June 2016. His legal heirs want to prosecute the appeal. Hence the order :

ORDER

- i) The application is allowed.
- ii) The wife and daughters of the deceased appellant being his legal heirs are permitted to prosecute the appeal.
- iii) The application is accordingly disposed of.
- iv) Necessary amendment be carried out accordingly.

(A. M. BADAR, J.)