

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.151 OF 2014

Shri. Kiran Laxminarayan Zawar

...Applicant

V/s.

Smt. Manju Hareshkumar Purohit & Anr.

...Respondents

Mr. Mayur D. Sopkale, Advocate for the Applicant.

None for respondent No.1.

Mrs. M.R. Tidke, APP for respondent No.2/State.

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CORAM : A.M.BADAR, J.

DATED : 26th OCTOBER 2018.

P.C. :

1. Heard the learned counsel appearing for the applicant. Perused the material placed on record. Written documents executed by the parties shows amount of consideration as Rs.30 Lacs. Statement of respondent No.2/accused under Section 313 of the Code of Criminal Procedure shows that she paid Rs.26 Lacs to the applicant. The subject cheque which was dishonoured was for

Rs.4 Lacs. It was for consideration for purchasing two shop blocks.

2. In this view of the matter, case for consideration is made out. Therefore, the order;

- : O R D E R : -

- i) Leave as prayed is granted.
- ii) Memo of Application for leave to appeal be treated as Memo of Appeal on effecting necessary amendments thereto.
- iii) Leave to amend is granted.
- iv) Admit.
- v) Issue notice to respondents.
- vi) The learned APP waives notice for respondent no.2/State.
- vii) Call for Record and Proceedings.
- viii) In the meanwhile, action under Section 390 of the Code of Criminal Procedure before the learned trial court.

(A.M.BADAR J.)