

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.754 OF 2018

IN

CRIMINAL APPEAL NO.196 OF 2015

Shri. Iqbal Khan	...	Applicant
V/s.		
AIBC Logistics Pvt. Ltd. & Ors.	...	Respondent

.....

Mr.Shaikh Mohammed S.Q. Ahmed, Advocate for the Applicant.

Mr.Ashutosh S. Khandeparkar, Advocate for the Respondent Nos. 1 and 2.

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

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CORAM : A.M.BADAR J.

DATED : 18th JUNE 2018.

P.C. :

1 This is an application for restoration of application for leave to appeal.

2 Heard both sides.

3 The learned Advocate appearing for respondent Nos.1 and 2 vehemently opposed the application by pointing out the tickets booked by the Advocate of the present applicant and

submitted that there was no sufficient cause for not appearing before the Court when the matter was called out for hearing.

4 I have perused the application. Sufficient cause is shown for not appearing before this Court to work out the application. The application was for leave to appeal challenging acquittal of the contesting respondents. The subject matter is under Section 138 of the Negotiable Instruments Act, 1881. Therefore, the Order :

ORDER

- (i) The application is allowed.
- (ii) The Order dated 25th April 2018 rejecting the application for want of prosecution is recalled and set aside.
- (iii) The application for leave to appeal is restored to the file of this Court.

(A.M.BADAR J.)