

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 229 OF 2017

Mrs. Nazeema Mohd. Wasim Shaikh

... **Applicant**

V/s.

Mr. Baban Keshav Churi & Anr.

... **Respondents**

Mrs. Tahera Qureshi for the Applicant.

Mrs. V.S. Mhaisapurkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 07th MARCH, 2018

P.C.:

. This is an application under Section 378(4) of Cr.P.C. for leave to file Appeal against the judgment and order dated 06.03.2017 passed by the learned Judicial Magistrate First Class, Dahanu, District Thane in S.S.C. No. 52 of 2013.

2 Heard the learned Counsel for the Applicant and perused the record.

The complaint preferred by the Applicant has been dismissed predominantly on the ground that Applicant has no locus standi to file complaint and the Applicant failed to examine her husband who was party to the Agreement to Sale in dispute. The Trial Court has therefore, acquitted the Respondent No.1 on the said ground.

3 After perusing the record, this Court is of the opinion that the view adopted by the Trial Court is reasonable and probable in the facts and circumstances of

the present case. No case for grant of leave is made out.

4 Application is accordingly, rejected.

(A.S.GADKARI, J.)