

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 383 OF 2015**

Mrs. Bhoir Anjana Janu

....Applicant.

Vs.

Mr. Anil Laxmandas Dakhna & Anr.

....Respondents.

Mr. Sagar Joshi for the Applicant.

Mr. V.V. Gangurde, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 13th MARCH, 2018.

P.C.:-

This is an Application for leave to file Appeal against the Judgment and Order dated 13th April, 2015 passed by the learned Judicial Magistrate, First Class, Court No. 10, Thane, in SCC No. 22222 of 2012 thereby, acquitting the Respondent No.1, for an offence punishable under Section 138 of the Negotiable Instruments Act.

2 Heard the learned counsel appearing for the Applicant and perused the record.

3 The record indicates that, the Respondent had issued the cheques in question in favour of the husband of the Applicant towards

an independent transactions and the present Complaint was filed by the Applicant in the premise that she had advanced hand loan to the Respondent. It is an admitted fact on record that the cheques in question were issued by the Respondent in favour of the husband of the Applicant towards his alleged liability arising out of a separate and distinct transaction. It further appears from the record that the Applicant had no *locus-standi* to file the present Complaint.

4 After perusing the record, this Court is of the opinion that the view adopted by the Trial Court is a reasonable and probable view in the facts and circumstances of the present case.

No case for grant of leave to file Appeal is made out.

5 Application is accordingly rejected.

(A.S. GADKARI, J.)