

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.321 OF 2018

M/s. H. Parson Private Limited **...Applicant**

V/s.

Shashikant Shankar Khandekar & Anr. **...Respondents**

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Mr. Yashpal M. Thakur, Advocate for the Applicant.

Mr. Deven, Advocate for respondent No.1.

Mr. S.V. Gavand, APP for respondent No.2/State.

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CORAM : A.M.BADAR, J.

DATED : 17th OCTOBER 2018.

P.C. :

1. Heard both sides.
2. Perused the impugned Judgment and Order of acquittal of respondent No.1/original accused of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.
3. In my opinion, case for consideration is made out.

- : ORDER : -

- (i) Leave, as prayed, is granted.
- (ii) Memo of Application for leave to appeal be considered as Memo of Appeal on effecting necessary amendments thereto.
- (iii) Leave to amend to that effect is granted.
- (iv) Admit.
- (v) Issue notice to the respondents.
- (vi) Mr. Deven, learned Counsel waives notice for respondent no.1/original accused.
- (vii) The learned APP waives notice for respondent No.2/ State.
- (viii) Call for Record and Proceedings.
- (ix) In the meanwhile, in lieu of action under Section 390 of the Code of Criminal Procedure, respondent No.1/original accused to execute P.R.Bond in the sum of Rs.15,000/- before the learned trial Court within a period of four weeks from today.

(A.M.BADAR J.)