

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No.588 OF 2013
(FOR LEAVE TO FILE APPEAL AGAINST ACQUITTAL)

Manojkumar Ramsaveena Dubey ...Applicant
Vs.
Suresh Trimbak Pathare and Anr. ...Respondents

Mr. Jagdish Choudhary i/b. M/s. Raj Legal for Applicant
Ms. R.M. Gadhvi – APP for the State

CORAM : PRAKASH D. NAIK, J.
DATE : 16 JANUARY, 2018.

P.C. :-

1. This is an application seeking leave to file an appeal against the judgment and order of acquittal dated 1st October, 2013 passed by the Metropolitan Magistrate, 50th Court, Vikhroli, Mumbai for acquisition of the accused. It is submitted that the Trial Court has proceeded with the finding that there was a vehicle transaction and not loan transaction.
2. The learned Advocate for the Applicant submits that the said documents were given as a security for the loan transaction. He further submitted that on perusal of the cross examination conducted by the defence, it is not the case of the accused that the accused has been acquitted for the transaction of vehicle.
2. Arguable questions are raised in this application and, therefore leave requires to be granted. Hence, I pass the following order.

ORDER :

- (i) Leave is granted.
- (ii) Appeal is admitted.
- (iii) Call for record and proceedings.

[PRAKASH D. NAIK, J.]