

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (ALP) NO.447 OF 2017

Suresh Nakra s/o Sohanlal Nakra ... Applicant

Vs.

Murugesan Admoolam and anr. ... Respondents

Ms.Ameeta Kuttikrishnan, appointed Advocate for the applicant.

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

CORAM : A.M.BADAR J.

DATED : 19th JUNE 2018.

P.C. :

1. Heard the learned appointed Advocate for the applicant.
2. Perused the impugned judgment and order of acquittal of respondent no.1 of the offences punishable under Section 138 of the Negotiable Instruments Act.
3. I have also perused the letter at Exh.11 so also the letters of JHB Constructions Company Private Limited allotting the subject shop to the

applicant and after taking over all assessment of evidence adduced on record by the parties, the following order;

:: ORDER ::

- (i) Leave as prayed for is granted.
- (ii) Memo of application for leave to appeal be treated as memo of appeal on effecting necessary amendment by the learned Advocate for the applicant. Leave to amend is granted.
- (iii) Admit.
- (iv) Issue notice to respondents.
- (v) The learned APP waives notice for respondent no.2/State.
- (vi) Call for Record and Proceedings.
- (vii) In the meantime, action under Section 390 of the Cr.P.C. before the Trial Court.

(A.M.BADAR J.)