

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.1053/2017

IN
CRIMINAL APPEAL NO. /2017

Shriram Hirasing Sahdeo

..Vs..

Mangilal Rama Rathod

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Anand Deshpande, Advocate for the applicant.
Shri R.J. Shinde, Advocate for the respondent.

CORAM : Z.A. HAQ, J.

DATE : 16.10.2018.

Heard.

Accepting the explanation given in the application, delay of 118 days in filing the appeal is condoned. The criminal application is **allowed** accordingly.

CRIMINAL APPEAL NO. /2017

The applicant / appellant has filed appeal to challenge the judgment passed by the learned Magistrate by which the complaint filed by him under Section 138 of the Negotiable Instruments Act, 1881 is dismissed and the respondent / accused is acquitted.

Considering the facts of the case, I find that the applicant / appellant is entitled for leave to file and prosecute the appeal. Leave granted accordingly.

Criminal appeal is taken up for admission.

Issue notice to the respondent of appeal,
returnable on 24th October, 2018.

Shri R.J. Shinde, Advocate waives notice for
the respondent.

JUDGE

Tambaskar.