

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO.1089/2017
 (NANDKISHOR VITHALRAO RAGIT VERSUS DILIP WASUDEVRAO WADHAI)

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

Court's or Judge's orders

Mr. Sanket Bhalerao, Advocate h/f Mr. A.I. Ragit, counsel for the applicant.
 Mr. A.A. Dhawas, counsel for the non-applicant.

CORAM : MANISH PITALE, J.

DATE : JUNE 19, 2018.

Heard learned counsel for the parties.

It is submitted on behalf of the applicant that the Court of Judicial Magistrate First Class, Rajura, in the judgment and order dated 22.09.2017 committed an error in holding that the applicant (complainant) had failed to place on record sufficient material to demonstrate that the two cheques in question issued by the non-applicant/respondent were towards the legally recoverable debt at the time when the cheques were issued, because the effect of compromise-deed between the parties in a civil suit for the purpose of recovery of the said amount, was not examined in proper perspective.

The applicant has made out a case for grant of leave to appeal. Hence, this application is allowed and leave is granted.

CRIMINAL APPEAL NO. _____ /2018.

Since the issue involved in the present appeal is a short issue, list this appeal for final disposal on 10.07.2018.

JUDGE