

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 322 OF 2018
IN
STAMP NUMBER MAIN NO. 2198 OF 2018

HRUSHIKESH TRANSPORT, REP. BY ITS
PROP., DINESH N. BHONSALE., ... Applicant

Versus

ARYADURGA ENTERPRISES, REP. BY ITS
PROP, CHANDRAKANT B. BHATKANDE., ... Respondent

Shri Anthony Joe D'silva, Advocate for the Applicants.
Shri Arjun F. Naik, Advocate for the Respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 30th April 2019

P.C.:

Heard Shri Anthony D'Silva, learned Advocate for the applicant and Shri Arjun Naik, learned Advocate for the respondents who has besides filed his reply opposing the application for leave to appeal.

2. It was the contention of the learned Advocate for the applicants that the complaint filed by him under Section 138 of the Negotiable Instruments Act has been dismissed only on the ground that the cheque amount has not been reflected in the Income Tax Returns of the applicant. He has a good case to succeed on merits and therefore leave be granted.

3. Learned Advocate for the respondents submitted that it was a well reasoned order and hence the application for leave to appeal be dismissed.

4. Having considered their submissions and on perusal of the judgment under consideration, i deem it appropriate to grant the application for leave to appeal. The application is accordingly allowed. Registry to register the appeal. In view thereof, the application stands disposed off.

NUTAN D. SARDESSAI, J.

NH