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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.350 OF 2017
IN
APPEAL NO.247 OF 2015

M/s.Prachar Communication Ltd. ...Applicant
vs.
M/s.Ishita Nirmal Health Care
P. Ltd & others ...Respondents

Ms Pooja Joshi I/b Ashok M Saraogi for the Applicant
Mr.V.V.Gangurde, APP for the respondent-State

CORAM : P.N.DESHMUKH,J.
DATE : SEPTEMBER 18, 2019

P.C.:

1 This application is filed by the original complainant in complaint filed under section 138 of the Negotiable Instrument Act,1881 praying for substituted service to respondent Nos.1 and 2/original accused 1 and 2 who are acquitted by the Trial Court.

2 Prayer in this application is for effecting service to the respondent Nos.1 and 2 by RPAD in addition to regular mode of service which is stated to be duly complied with, in spite of which respondent Nos.1 and 2 did not appear. Thereafter, the applicant has placed on record affidavit of service by paper publication which was carried out in the light of order dated 25th March 2019. The affidavit of service is also accompanied with the copy of daily newspapers i.e Free Press Journal and Nav Shakti both dated 12th April 2019. In spite of service, none present for said respondents. Respondent Nos.1

and 2 are thus, deemed to be duly served.

3 The record reveals that by order dated 18th February 2018 passed in Criminal Application No.38 of 2015, leave to file appeal is allowed.

4 In the circumstances, Admit.

5 Call for the Record and Proceedings.

6 Stand over to 16th October 2019.

(P.N.DESHMUKH,J.)