

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.560 OF 2018
(For Leave to file Appeal)**

M/s Ganesh Investment & Financial Applicant
Consultants

Vs.

Mr. Ajaykumar Kanhaiyalal Pardeshi Respondents
& Anr.

Mr. Raju D. Suryawanshi for the Applicant.
Mr. A.A. Palkar, APP for the State.

Coram : NITIN W. SAMBRE, J.

Date : 9th December 2019

P.C.:

1. Criminal Complaint No.38 of 2007 is based on dishonour of cheque of Rs.10,00,000/- dated 11th November, 2006, in which the learned Judicial Magistrate, First Class, 4th Court, Kalyan recorded the judgment of acquittal dated 20th December, 2016. As such, this application for grant of leave.

2. The submissions of learned counsel for the applicant are the complaint was filed by the power of attorney holder. According to

him, once the power of attorney holder is examined in support of an accusation in the complaint, the learned Magistrate has committed an error in acquitting the accused.

3. The fact remains that the executant of power of attorney was not examined. Apart from above, the power of attorney holder is unable to satisfy the learned Magistrate as to his source of information.

4. In the aforesaid background, the acquittal as ordered by the learned Magistrate is justified. No case for grant of leave is made out. Leave refused.

(NITIN W. SAMBRE, J.)