

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

CRIMINAL APPLICATION (APPA) NO.863 OF 2018

(Buldana Urban Co-op. Credit Society Ltd., Buldhana Vs. Manjilsingh s/o
Jaswantsingh Popali)

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

Court's or Judge's orders.

Mrs. Sonali Saware-Gadhawe, Advocate for Appellant.
Shri Chetan Sharma, Advocate for Respondent.

CORAM: ROHIT B. DEO, J.

DATE: 20th JUNE, 2019.

This Court is *prima facie* satisfied, that the question whether the accused has rebutted the statutory presumption, is not satisfactorily dealt with.

2] Be it noted, that the accused does not dispute the signature on cheque nor does he dispute that he availed loan. The accused states in the examination-in-chief that he repaid the loan, from time to time, in bits and pieces, however, he is not in a position to state what amount is paid to the credit Society towards repayment.

3] Hence, leave to appeal is granted. Appeal be registered.

4] Shri Chetan Sharma, the learned counsel waives service for respondent.

5] Call for record and proceedings.

JUDGE

NSN