

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

CRIMINAL APPLICATION (APPA) 779 OF 2017

(Ravindra s/o. Radhakishan Kasat..vs.. Sachin Kamalkishore Malani)

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

Court's or Judge's orders.

Shri S.V. Sohoni, counsel for appellant.
Shri U.J. Deshpande, counsel for respondent.

CORAM: ROHIT B. DEO, J.

DATE: 4th JUNE, 2019.

This Court feels it appropriate to have a second look at the evidence on record and the reasons recorded by the trial Court.

2 One of the issues involved is whether the trial Court failed to appreciate that the statutory presumption is not rebutted.

3 It is stated at the bar that the question whether an appeal against acquittal under the provisions of the Negotiable Instruments Act, 1881, would lie under section 372 of the Criminal Procedure Code is referred to larger Bench.

4 The parties are at liberty to circulate the matter, if necessary, in view of the decision which may be rendered by the larger Bench.

CRIMINAL APPEAL OF 2019

Leave to appeal is granted.

The appeal be registered.

Shri U.J. Deshpande, the learned counsel for the
respondent waives service.

JUDGE

rsb