

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

CRIMINAL APPEAL NO. 523/2008

State Bank of India

-VERSUS-

Shri Anil S/o Bapurao Chiddarwar & anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Ms. A. Wanjari, Advocate h/f Shri M. Anilkumar, Advocate
for appellant.

Ms. S. Bhawe, Advocate h/f A. Mardikar, Advocate for
respondent No. 1.

Shri T.A. Mirza, A.P.P. for respondent No. 2.

CORAM : VINAY JOSHI, J.

DATE : JANUARY 07, 2020.

Heard.

2. This is an appeal of original complainant of S.C.C. No. 1966/2001 who has filed Summary Case against respondent No. 1 (accused) for commission of offence under Section 138 of the Negotiable Instruments Act. The learned Magistrate has convicted accused vide judgment and order dated 15.02.2007. The said order of conviction is challenged by the respondent/accused in Criminal Appeal No.

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7/2007. Likewise, the original complainant has also filed Revision No. 22/2007 for enhancement of sentence. The Additional Sessions Judge heard both the matters together and ultimately, by reversing judgment of Trial Court, has acquitted the accused. The said order of acquittal is impugned herein at the instance of original complainant.

3. During the pendency of appeal, sole accused i.e. respondent No. 1 died on 10.11.2014 for which puris is filed accompanying with death certificate issued by the Local Authority.

4. In view of above, nothing survives and the proceedings stand disposed of since abated.

JUDGE

Gohane.