

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

CRIMINAL APPEAL NO. 772 OF 2008

Jayendra s/o Janardan Warokar

..vs..

Nitin s/o Bhujagrao Bobde and anr.

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

Court's or Judge's orders

Shri J.K. Matala, Advocate h/f Shri S.A. Mohta, Advocate for
appellant.

Shri A.R. Sharma, Advocate for respondent no. 1.

Shri Jayant Ghurde, Assistant Public Prosecutor for respondent
no. 2.

CORAM : VINAY JOSHI, J.

DATED : 4th JANUARY, 2020.

Heard.

2. This is an appeal of original complainant in terms of Section 378(4) challenging the order of acquittal passed in Summary Criminal Case S.C.C. No. 6917 of 2007 relating offense punishable under Section 138 of the Negotiable Instruments Act, 1881. The respondent no. 1 i.e. original accused was represented by Advocate who has filed Pursis bearing Stamp no. 4965 of 2018 to convey that, respondent no. 1/accused died on 04.10.2017 at Nagpur. This Pursis is accompanied by the copy of death certificate issued by local authority. The appellant has not disputed death of accused.

3. In the circumstances, nothing survives, hence, Appeal stands abated and disposed of accordingly.

JUDGE