

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.61 OF 2019
IN
STAMP NUMBER MAIN NO.1880 OF 2018

The Bhatagram Urban Co-operative
Credit Society Ltd. rep. by its
C.E.O. Sanjay Gajanan Parmekar

.... Applicant.

V/s

Vidya Dnyaneshwar Naik Goltekar
and Anr.

.... Respondents.

Mr. Deepak Gaonkar for the Applicant.
Mr. P. S. Sawant for Respondent No.1.

CORAM: NITIN W. SAMBRE, J.

DATE: APRIL 16, 2021
(THROUGH VC)

P.C.:-

1] Respondent/Accused was acquitted by the learned Judicial Magistrate, First Class, Bicholim, Goa of the offence punishable under Section 138 of the Negotiable Instruments Act on the ground that there was no legally enforceable debt of Rs 5,70,000/- for which disputed cheque came to be issued.

2] Whether there was a liability of Rs 5,70,000/- as against the

loan account of the Respondent/Accused and whether such liability is legally enforceable liability would be an issue which warrants consideration. Hence, leave granted.

(NITIN W. SAMBRE, J.)