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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 28 OF 2015

ALOK INDUSTRIES LTD.

....APPLICANT

V/s.

**SHA CHANDANMAL FATECHAND
AND ORS**

.....RESPONDENTS

**Ms. Dimple K. Shah for the applicant
Ms. Sharmila S. Kaushik APP for the State**

CORAM : NITIN W. SAMBRE, J.

DATE: NOVEMBER 18, 2021.

P.C.:

1] Heard.

2] Respondent-accused were acquitted in an offence punishable under Section 138 of Negotiable Instruments Act.

3] Acquittal is based on merits as the representative of the complainant has represented the interest based on a resolution of the

applicant company. Neither appointment of such representation as Vice President was established through evidence nor any director to prove such resolution or appointment of such representative was examined.

4] That being so, Magistrate was justified in recording that complaint was prosecuted without any authority of law. Acquittal as such is very much justified. That being so, no case for indulgence is made out. Leave is refused. Application stands disposed of.

[NITIN W. SAMBRE, J.]