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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 213 OF 2015

CROWN INK AND CHEMICALS CO.APPLICANT

V/s.

TUKARAM V. CHAVAN AND ORSRESPONDENTS

Mr. Shivkumar R. Gupta advocate for the Applicant
Mr. Ajay Patil APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: NOVEMBER 25, 2021.

P.C.:

1] In all four cheques were dishonoured resulting into applicant initiating proceedings under Section 138 of Negotiable Instruments Act which resulted in acquittal of respondent.

2] Acquittal is based on reasoning that cheques issued by the complainant which were produced on record as 'Maratha Sahakari Bank' whereas statutory notice under Section 138 of N.I. Act,

pleadings in the complaint case and also in the evidence, cheques were referred to as 'Maharashtra Sahakari Bank'.

3] Co-incidentally by both these names, there exist independent financial institutions.

4] As such, Court below is justified in acquitting the respondent as it cannot be inferred that statutory notice which was mandatory was issued in relation to cheques and the complaint case was also pertaining to said cheques.

5] In that view of the matter, application for leave to file appeal stands refused.

[NITIN W. SAMBRE, J.]