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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION FOR LEAVE NO. 179 OF 2019
WITH
CRIMINAL APPLICATION FOR LEAVE NO. 180 OF 2019

Can Offshore Private Limited ...|Applicant
Versus
The State of Maharashtra & Anr ...Respondents

Mr. K.P. Anilkumar, with Mr. Amit Sane, & Mr. Chinmay Apte, for
the Applicant in both matters.
Mr. A.R. Kapadnis, APP, for the Respondent-State.

CORAM: Nitin W. Sambre, J.
DATED: 29th November 2021

P.C.:-

1. The Respondent-accused was acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. As such, this application for grant of leave to appeal.

2. I have heard the learned Counsel for the Applicant at some length. The witness of the Applicant has not supported the case of the Complainant. Not only he has failed to prove the

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authorization issued by his company in his favour but for the production of the same nor the initial burden is discharged thereby placing on record a copy of the ledger so as to demonstrate that the cheques were issued towards admitted debt.

3. That being so, the acquittal is justified. No case for leave to appeal is made out.

4. Both the Applications are rejected.

(Nitin W. Sambre, J.)