

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.442 OF 2015

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Shri. Rakeshkumar Roshanlal Surana

..Applicant

Versus

Mr. Abdul Hakkim and Anr.

..Respondents

Mr. Manish Jain a/w Shivani Doshi i/by S. M. Jain Associates, for
the Applicant.

None for Respondent No.1.

Mrs. Rutuja Ambekar, APP for the Respondent No.2 – State.

CORAM : NITIN W. SAMBRE, J.

DATE : 17th DECEMBER, 2021

PC.

1. Though served none appears for the non-applicant/
accused.

2. It appears that the applicant/complainant entered into
witness box and discharged initial burden at Exh.12 as
contemplated under Section 118 and 139 of the Negotiable
Instruments Act. *Prima-facie* an error is committed by the Court
below thereby going into the issue of source of Rs.5,00,000/- of the
applicant.

3. As such, case for consideration is made out.

4. Leave granted.

(2) -ALP-442-15.doc.

5. Admit.
6. Call record and proceedings.
7. Action under Section 390 of CrPC.
8. Paper-book be filed within a period of six months.

[NITIN W. SAMBRE, J.]