

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (APPA) No. 340/2020 In
Criminal Appeal No. _____/2021.

Santaji Nagari Sahakari Pat Sanstha Maryadit, Hinganghat
V/s
Suresh Bajiram Chirkute

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri A.A. Sambaray, Advocate for applicant.
Shri M.P. Kariya, Advocate for respondent

CORAM: N.B.SURYAWANSHI,J.

DATE: 04/03/2021.

Prima facie, it appears that the learned Trial Court had not considered that the presumption under Section 139 of the Negotiable Instruments Act, has not been properly rebutted by the respondent/accused.

Hence, leave is granted to the applicant to file an appeal against the judgment dated 30.07.2020 passed by the Judicial Magistrate First Class, Hinganghat in Criminal Complaint Case No. 1475/2013, by which the respondent / accused was acquitted.

The criminal application is allowed accordingly.

Registry to register the appeal.

Criminal Appeal No. _____/2021

Heard.

Admit.

Call for Record and Proceedings.

Shri M.P.Kariya, learned Advocate waives service
of notice for the respondent.

JUDGE