

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**966 APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO.84 OF 2022
GAJANAN LAXMAN ZADE
VERSUS
DATTA PANDHARINATH GHANWAT**

Mr.R.N. Chavan h/f. Mr.V.A. Bagdiya, Advocate for the applicant.

**CORAM : KISHORE C. SANT, J.
DATED : 06.12.2022**

PC :-

01. Heard learned Advocate for the applicant for some time. This application is seeking leave to file appeal against acquittal challenging the order passed by the learned Judicial Magistrate, First Class, Court No.1, Hingoli dated 16.07.2022, whereby the complaint under section 138 of the Negotiable Instruments Act filed by present applicant is dismissed for default vide section 256 of Cr.P.C. Notice is already served on the respondent. However, inspite of notice, no one appeared.

02. Considering that the appeal is arising out of proceedings under section 138 of the Negotiable Instruments Act and the cheque amount is Rs.650000/-, this Court deems it fit to grant leave to file appeal against acquittal. Hence, leave is granted. The application is allowed. Appeal be registered.

[KISHORE C. SANT, J.]