

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.8 OF 2020**

Ratansingh Gumnam Singh Bartawal ... Applicant
versus
State of Maharashtra & Anr. ... Respondents

Ms. Devyani Katira, for Applicant.

Ms. Neha Mane i/by Mr. Rajesh More, for Respondent No.2.

CORAM: N.J.JAMADAR, J.

DATE : 7th JULY, 2022

P.C.

1. Heard the learned Advocate for the Applicant.
2. The learned Counsel for the Respondent No.2 seeks time to work out the matter.
3. The record indicates that the Application for leave is pending since long.
4. Perused the impugned judgment.
5. The learned Magistrate has held that there is compliance of the statutory provisions. However, the point of legal enforceability of debt or liability was answered against the complainant-Appellant.
6. An arguable case is made out as regards the finding recorded by the learned Magistrate that the subject cheque was not drawn in discharge of legally enforceable debt or liability.
7. Hence, Appeal is admitted.

8. Issue notice to the Respondents.
9. The learned Counsel for the Respondent No.2 waives service.
10. Call R & P.
List in normal course.

(N.J.JAMADAR, J.)