

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

CRIMINAL APPLICATION (APPA) NO. 286 OF 2022

IN

CRIMINAL APPEAL (Stamp) NO. 8575 OF 2021

Elite Udyog vs. Wahabkha s/o Darabkha Pathan

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Abhinandan Karnavat, Advocate for applicant/
appellant.

Mr. P. K. Mohta, Advocate Mr. H. S. Chawhan, Advocate
for respondent.

CORAM : G. A. SANAP J.

DATE : 21/10/2022

Heard Learned Advocate for the
applicant/appellant and the learned Advocate for the
respondent.

2. The appeal has been filed against the
judgment and order passed in Criminal Appeal
No.120 of 2016 by the Sessions Court at Akola. In
the Sessions Court, the order of the conviction of the
respondent under Section 138 of the Negotiable
Instrument Act was challenged. The Sessions Court
set aside the order of conviction and acquitted the
respondent.

3. It is submitted that the learned Sessions Judge has not properly appreciated the evidence and has come to a wrong conclusion. It is submitted that the grounds of challenge to the impugned judgment and order have been set out in the memo of appeal. It is submitted that this a fit case to grant leave to file appeal against the impugned judgment and order.

4. On going through the grounds of challenge set out in the memo of appeal, I am satisfied that this is a fit case to grant leave to file appeal.

5. Accordingly, leave to file appeal against the impugned judgment and order is granted. The appellant shall file private paper book within **six weeks** from today.

6. Application is disposed of.

7. List the appeal after **six weeks**.

JUDGE