

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 304 OF 2011

Vijaya Bank

... Appellant

Versus

State of Maharashtra and Anr.

... Respondents

Mr.Sachin Punalekar a/w Mr.Sachin Kanse i/b. M/s. PRS Legal,
Advocates for the Appellant.

Mr.Y.Y.Dabke, APP for the Respondent No.1 – State.

None for the Respondent No.2.

CORAM : S. M. MODAK, J.

DATED : 6th JANUARY, 2023

P. C. :-

1. Mentioned out of turn.
2. Heard learned Advocate for the Appellant – Bank. Respondent No.2 – Accused was acquitted by the trial Court for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (26 of 1881). It is submitted that she has expired and the Bank came to know about this fact on the basis of news published in newspaper.
3. Learned Advocate undertakes to produce that clipping during the course of the day.
4. If the Appellant itself says that Respondent-Accused has expired, there is no reason to doubt that.
5. In view of that, Appeal is dismissed.

(S. M. MODAK, J.)