

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

CRIMINAL APPLICATION (APPA) NO.359 OF 2023

IN

CRIMINAL APPEAL (ST.) NO.2453 OF 2023

(Thawar Rupchand Anandani Vs. Smt. Pushpa w/o Manohar Anandani)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri J.S. Gandhi, Advocate for the appellant.
Advocate Dhawas for the respondent.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JUNE 08, 2023.

Heard.

2. The appellant has challenged the judgment and order, passed on 06.02.2023 by the learned Judicial Magistrate First Class, Court No.3, Akola in S.C.C. No.12796/2004 whereby the respondent came to be acquitted for the offence punishable under Section 138 of the Negotiable Instrument Act, 1881.

3. The learned Counsel for the appellant submits that the appellant has good case on merit. The learned Counsel submits that the evidence adduced by the appellant has not been properly appreciated by the learned trial Judge. The learned Counsel submits that therefore leave to file appeal against Judgment and order may be granted.

4. In view of the facts and circumstances placed on record, leave to file appeal against the impugned

Judgment and order is granted. Appeal be registered.

CRIMINAL APPEAL NO. OF 2023

Heard.

2. **ADMIT.**

3. Call for Record and Proceedings.

4. Place the matter for final hearing after receipt
of R. & P.

(URMILA JOSHI-PHALKE, J.)

**Divya*