

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

**APPLICATION FOR LEAVE TO APPEAL BY PRIVATE PARTY
NO. 118 OF 2022**

MOHAN BHIMRAO BODANE
VERSUS
BALASAHEB SURESH BHARDE AND ANOTHER

Mr. Mahishankar L. Dharashive, Advocate for Appellant
Mr. R.B. Dhaware, APP for Respondent No.2/State
Mr. Amol G. Vasmatkar, Advocate for Respondent No.1

**CORAM : NITIN B. SURYAWANSHI, J.
DATE : 14th OCTOBER, 2024**

PER COURT :

1. Heard.
2. This appeal is filed seeking leave to file appeal against judgment and order of acquittal dated 13/08/2019, passed by learned Judicial Magistrate First Class, AUSA, in S.T.C. No.160/2012.
3. The reasons assigned by Trial Court while acquitting respondent No.1 accused for offence punishable under Section 138 of the Negotiable Instruments Act, does not appear to be proper.
4. Hence, the application is allowed. Leave granted to file appeal against impugned judgment and order of acquittal. Appeal be registered.
5. Appeal stands admitted. Learned APP waives service for respondent No.2/State and learned advocate Mr. A. G. Vasmatkar waives service for respondent No.1/accused.

(NITIN B. SURYAWANSHI, J.)