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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO.49 OF 2022

WITH

CRIMINAL APPEAL NO.281 OF 2022 (F)

CRIMINAL MISC. APPLICATION NO.49 OF 2022

THE PIRNA URBAN CO-OPERATIVE
CREDIT SOCIETY LTD., REP. BY
RECOVERY MANAGER BALKRISHNA NAVSO
RAUL

... APPLICANT

Versus

HEMANAT MAHADEV KAMBLI AND ANR

... RESPONDENTS

WITH

CRIMINAL APPEAL NO.281 OF 2022 (F)

THE PIRNA URBAN CO-OPERATIVE
CREDIT SOCIETY LTD., REP. BY
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... APPELLANT

Versus

HEMANAT MAHADEV KAMBLI AND ANR

... RESPONDENTS

Mr A. Bhobe, Advocate for the appellant

Mr E. Usapkar, Advocate for the respondent no.1

Mr s. Karpe Addl. Public Prosecutor for the respondent no.2.

CORAM:- AVINASH G. GHAROTE, J.

DATED :- 26th March, 2024

P.C.

The application seeks leave to appeal against the judgment dated 31.3.2022 passed by the learned trial Court acquitting the respondent of the offence under Section 138 of the Negotiable Instruments Act, 1884. The learned counsel for the applicant submits that findings are contrary to the evidence on record considering which, though the

learned counsel for the respondent no.1 opposes, leave is granted.

2. Office to register the Criminal Appeal No. 281/2022/F.

3. Issue notice for final disposal returnable on 23.4.2024

4. Mr E. Usapkar, learned counsel waives notice on behalf of respondent no. 1 and Mr S. Karpe, learned Addl. Public Prosecutor waives notice for respondent no. 2 in appeal.

5. Call for records and proceedings.

AVINASH G. GHAROTE, J.

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