

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

APPLICATION FOR LEAVE TO APPEAL NO. 47 OF 2024

Suryanarayan Badrinarayan Pandey

...Appellant

Versus

The State of Maharashtra & Anr.

...Respondents

- Mr. Sushil M. Shukla a/w Ms. Janki J. Sampat, for Appellant.
- Mr. Mayur S. Sonavane, for respondent No.1.

CORAM : MANISH PITALE, J.

DATE : 30th July, 2024.

P. C. :

1. Heard learned counsel for the applicant.

2. It is specifically submitted that since the subject cheque was dishonoured during the period when lock-down was imposed due to Covid-19 pandemic, the cheque return memo did not bear the stamp of the concerned Bank. It is submitted that in view of the respondent – accused having virtually admitted all the relevant facts, the Court of Metropolitan Magistrate committed an error in acquitting the respondent accused for offence under Section 138 of the Negotiable Instruments Act, 1881.

3. Issue notice to respondent No.2 (contesting respondent), for final disposal, returnable on **02nd September, 2024, “High on Board.”**

(MANISH PITALE, J.)

SHRIKANT
SHRINIVAS
MALANI

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