



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 528 OF 2014 IN
CRIMINAL APPEAL NO. _____ OF 2014

Vishal Haribhau Santoshwar V/s Ritesh Vinod Marda

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

Court's or Judge's Order

Mr. N.B. Khandewale, counsel for the applicant/appellant.

Mr. A.A. Dhawas, counsel for the respondent.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 26/06/2024.

1. This is an application for leave to file an appeal.
2. Learned counsel for the appellant pointed out from the judgment that the learned trial Court has acquitted the accused and observing that the accused cannot be made accountable to pay the amount, when the amount is unaccounted and in the view of law it is unenforceable debt. He submitted that this observation of the trial Court is erroneous and he has arguable points on that aspect.
3. Learned counsel for the respondent strongly opposed the application.
4. Considering the submission made by learned counsel for the applicant that he has arguable points and also pointed out from the judgment, leave is granted to the appellant to file an appeal.

The criminal application (APPA) No. 528/2014 is disposed of.

CRIMINAL APPEAL NO. _____/2014

1. Heard.
2. **Admit.**
3. Mr. A.A. Dhawas learned counsel waives service of notice on behalf of respondent.
4. Record and Proceedings is already received.
5. Appeal be placed before the Court after preparation of the paper-book.

[URMILA JOSHI-PHALKE, J.]