



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

**952 APPLN. FOR LEAVE TO APPEAL BY PVT. PARTY NO. 47 OF
2025
IN /0/**

Nilesh Shivdassing Pawar

VERSUS

Ved Enterprises And Agencies Through Its Authorized Signatory Bharat
Pardeshi

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Mr. Yash Vinod Kasliwal - Advocate for Appellant

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CORAM : NEERAJ P. DHOTE, J.

DATED : 25TH APRIL 2025

PER COURT : -

1. By this Application, the Applicant seeks leave to Appeal against the Order dated 15.01.2025, by which the proceedings initiated by the Applicant for the offence punishable under Section 138 of the Negotiable Instruments Act came to be dismissed under Section 256 of the Code of Criminal Procedure, for want of active and effective steps by the Complainant.

2. Heard learned Advocate for the Applicant.

3. According to the Applicant, a hand loan of Rs.4,80,000/- was transferred to the Respondent through RTGS. For repayment of the said amount, a cheque was issued, which came to be dishonoured and, therefore, the Applicant filed a Complaint bearing Summary Cri. Case

No. 17 of 2022. Process was issued against the Respondent in the said Complaint. During the pendency of the Complaint, there was a compromise between the parties, and the terms of the compromise were submitted in the said Complaint, wherein a part amount was made, and it was agreed that the remaining amount would be repaid within a stipulated time. It is contended that, due to the ill-health of the Applicant and no communication between the Applicant and his Advocate, the Complaint remained unattended, and eventually, the impugned Order came to be passed.

4. In view of the above, issue notice to the sole Respondent in the Application for Leave to Appeal, returnable on 18th July, 2025.

[NEERAJ P. DHOTE]
JUDGE