

Shailaja

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

CRIMINAL APPLICATION NO.32 OF 2024

Madhuri Mahendra Paste	]	Applicant
vs.		
Sunil Sadashiv Deshmukh and another	]	Respondents

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Mr. Irfan A. Shaikh, for Applicant.

Ms. Shivani Kandekar, for Respondent No.1.

Ms. Anamika Malhotra, A.P.P, for Respondent No.2 – State.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE :20th February, 2025.

P.C:

1. Heard learned Counsel for the applicant.
2. Perused the complaint, affidavit of examination-in-chief of the complainant and her cross-examination, especially, paragraph 16. Though it seems that the accused has taken a defence that her signed cheques have been stolen, interestingly, in her cross-examination, there is a suggestion given on behalf of the accused that due to the cordial relations between the parties, the complainant

had been to the house of the accused and Pratiksha Deshmukh who is the wife of the accused had given her signed cheque of Rs.28,50,000/-.

3. The judgment is *ex facie* perverse and warrants interference in appeal and, therefore, special leave to appeal under section 378 (4) of the Code of Criminal Procedure, 1973 is granted.

4. Application is disposed of.

5. Registry is directed to register the appeal.

6. List the appeal under the caption “For Final Hearing” on 17th March, 2025.

[PRITHVIRAJ K. CHAVAN, J.]