

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

APPLICATION FOR LEAVE TO APPEAL NO. 170 OF 2025

Kimiya Engineers Pvt Ltd Through
Mr Thomas Zachariah
Vs.

...Applicant

The State of Maharashtra
Through The Public Prosecutor and Anr.

...Respondents

Ms. Shilpa C. Kapil	Advocate for the Applicant
Ms. R. S. Tendulkar	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 16th JUNE 2025

P. C. :-

1. This is a leave Application against the judgment of acquittal. In their complaint filed for the commission of offence under Section 138 of the Negotiable Instruments Act, 1881, the Respondent No. 2 was acquitted.
2. The arguing counsel is not available. Let him go through the judgment of the Hon'ble Supreme Court in case of *M/s. Celestium Financial Vs. A. Gnanasekaran Etc.*¹
3. Stand over to 21st July 2025.

Later on

4. Heard learned Advocate for the Applicant-Complainant. Their

complaint for offence punishable under Section 138 of the Negotiable Instruments Act was dismissed on 17.03.2025 for want of service. Leave is sought.

5. Issue notice to the Respondent No. 2, returnable on 21st July 2025.
6. Additionally, private service is allowed, and service affidavit be filed before the next date.
7. Stand over to **21st July 2025.**

[S. M. MODAK, J.]