

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

CRIMINAL APPEAL NO.190/2019

Smt.Vandana w/o Dayaram Gohil

..VS..

Kisan s/o Deviprasad Jaiswal

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri P.P.Kotwal, Counsel for the Appellant.

CORAM : V.M.DESHPANDE, J.

DATED : MAY 3, 2019.

1. Heard learned counsel Shri P.P.Kotwal for the appellant.
2. The appellant is original complainant. She filed Summary Criminal Case No.474/2012 against the respondent for offence under Section 138 of the Negotiable Instruments Act. On 24.7.2014, learned Judicial Magistrate First Class convicted the respondent for offence under Section 138 of the said Act and was directed to suffer simple imprisonment for 1 month and also directed to pay compensation Rs.50,000/- within a period of one month from the said date.
3. The respondent being aggrieved by the said judgment and order of conviction, preferred an appeal being Criminal Appeal No.286/2014 before the Sessions Court and learned Additional Sessions Judge, Nagpur allowed the said appeal and acquitted the respondent.

4. After hearing learned counsel Shri P.P.Kotwal for the appellant and after having perused both the impugned judgments and orders of the Courts below, I am of the view that second thought is necessary in the matter.

5. Hence, **ADMIT**. The record and proceedings be called for.

6. No action under Section 390 of the Code of Criminal Procedure be taken.

JUDGE

!! BRW !!