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**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR**

**BEFORE  
HON'BLE SHRI JUSTICE RAJEEV KUMAR DUBEY**

**ON THE 23<sup>rd</sup> OF JUNE, 2022**

**MISC. CRIMINAL CASE No. 36279 of 2021**

**Between:-**

**AJAY BAJAJ S/O LATE SHRI JUGAL KISHORE  
BAJAJ , AGED ABOUT 58 YEARS, OCCUPATION:  
BUSINESS R/O RAMGOPALJI WARD HATTA  
DISTT. DAMOH MP (MADHYA PRADESH)**

**.....APPLICANT**

**(BY SHRI UTKARSH AGRAWAL, ADVOCATE)**

**AND**

**PRAKASH CHAND AGRAWAL S/O SHRI GOPAL  
CHAND AGRAWAL , AGED ABOUT 59 YEARS,  
OCCUPATION: PROPRIETOR AGRAWAL  
TRADING COMPANY HATTA LATE SHRI JUGAL  
KISHORE BAJAJ R/O SANJAY WARD HATTA PS,  
AND TEH. HATTA DAMOH MP (MADHYA  
PRADESH)**

**.....RESPONDENT**

**(BY SHRI Y.K. GUPTA, LEARNED COUNSEL FOR THE  
RESPONDENT)**

.....  
*This application coming on for admission this day, the court passed the  
following:*

**ORDER**

This application has been filed under Section 378(4) of Cr.P.C. for grant of leave to file appeal against the judgment dated 30.06.2021 passed by learned Judicial Magistrate First Class, Hata, District Damoh in SC NIA No.300486/2016 whereby learned JMFC has rejected the applicant's complaint and acquitted the respondent from the charge punishable under Section 138 of the Negotiable Instrument Act.

On due consideration of the facts and circumstance of the case and the material available on record, I am of the view that it is a fit case in which permission for grant of leave to appeal can be allowed, meaning thereby, the matter has to be admitted for final hearing.

Accordingly, the application filed by the applicant u/S.378(4) of Cr.P.C. is allowed and permission for grant of leave to appeal is granted.

With the aforesaid, present M.Cr.C. is disposed of.

Appeal filed as a consequence of this order, be registered and proceeded as per rules, as admitted.

Respondent is directed to furnish personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in like amount to the satisfaction of the trial Court for his appearance before the trial Court on **10.08.2022** and on such further dates as may be fixed in this behalf by the trial Court during the pendency of this appeal.

List the matter for final hearing after four weeks.

**(RAJEEV KUMAR DUBEY)**  
**JUDGE**