

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 280 OF 2014

THE STATE OF MAHARASHTRA

VERSUS

BALAJI NAMDEO SHINDE

...
APP for Applicant -State: Mr. S. B. Pulkundwar

...
CORAM : T. V. NALAWADE &

SMT. I. K. JAIN, JJ.

DATE : 23rd March, 2015

PER COURT :

1. Though the matter was kept for service of notice on the sole respondent, notice is not served. There is no need to hear the respondents accused at this stage.
2. Learned APP allowed to argue for grant of leave to appeal. The appeal is filed against the judgment and order of acquittal passed by the Sessions Judge, Osmanabad in Sessions Case No.16 of 2012.
3. Heard learned APP. Perused the record which includes PM report. Death took place due to head injury. She was cohabiting with the respondent at the relevant time and so called incident took place inside the matrimonial house.
4. In view of these circumstances and after considering the reasons, given in the judgment delivered by the trial Court, this Court holds that there is arguable case. Application is allowed. Leave granted.
5. Appeal is admitted.
6. Comply provisions of Section 390 of the Criminal Procedure Code.

(SMT. I. K. JAIN, J.)

(T. V. NALAWADE, J.)

JPC