

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CRIMINAL APPLICATION NO.652 OF 2015

THE STATE OF MAHARASHTRA
VERSUS
LAXMAN S/O KONDIBA KAMBLE

...
APP for Applicant/State : Mr.S.G. Karlekar.

...
CORAM : S.S. SHINDE & A.M. BADAR, JJ.
Dated: FEBRUARY 11, 2015

...

Heard learned APP for the State. He submits that in spite of the fact that both the dying declarations are consistent and the witnesses to the dying declarations were examined, the trial Court has not considered the consistent version in the dying declarations and paid attention to the minor discrepancies and acquitted the accused.

2 We have considered the submissions of the learned APP appearing for the appellant / State, perused the judgment of the trial Court. *Prima facie*, it appears that both the dying declarations were not properly considered by the trial Court.

Case is established for admission of the appeal.

3 In the circumstances, application is allowed in terms of prayer clauses (B), (C), (E) and (F), and stands disposed of.

4 Appeal is **admitted**.

Action u/s 390 Cr.P.C. to follow before the Sessions Court, Latur.

(A.M. BADAR, J)

(S.S. SHINDE, J)

kadam/