

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. 1332 OF 2015

THE STATE OF MAHARASHTRA
VERSUS
GANESH PRALHAD JOSHI AND OTHERS

...
Advocate for Applicant : Mr.S.D. Kaldate.

...
CORAM : S.S. SHINDE & A.I.S. CHEEMA, JJ.
Dated: JUNE 15, 2015

...
Heard.

2 Learned APP invited our attention to the evidence of P.Ws.4 and 5 and submitted that even, the present non applicants have been implicated by the said witnesses, specific overt acts have been attributed to them, and medical evidence supports the prosecution case. It is submitted that P.Ws.4 and 5 are injured witnesses and therefore, the application deserves to be allowed.

3 We have heard the learned APP appearing for the applicant / State, perused the notes of evidence and in particular, evidence of P.Ws.4 and

5. It appears that both the witnesses are injured witnesses and they have clearly deposed that the present respondents have assaulted them. Section 149 IPC is also matter of consideration. In that view of the matter, case is established for allowing this application.

4 Criminal Application is allowed in terms of prayer clauses (B), (D), and (F) and stands disposed of.

5 Appeal **admitted.**

6 Action under Section 390 Cr.P.C. to follow before the Additional Sessions Court at Vaijapur, District Aurangabad.

(A.I.S. CHEEMA, J)

(S.S. SHINDE, J)