

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1773 OF 2015
WITH APEAL/181/2015

THE STATE OF MAHARASHTRA
VERSUS
PARMESHWAR BALIBHIM SARWADE

...
Advocate for Applicant : Ms. R.P. Gour
Advocate for Respondents: Mr. P.V. Barde
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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 2nd DECEMBER, 2015

P.C. :-

1. We have heard the learned A.P.P. for the applicant and Mr. Barde, learned counsel for the respondents. The application is filed by the State seeking leave to file appeal. Mr. Barde, the learned counsel submits that the offence punishable under Section 302 of I.P.C. is not at all attracted. The accused has also filed appeal against conviction for the offence punishable under Section 326 of I.P.C., even the same would not be attracted. Even otherwise, the present application will have not be heard alongwith appeal filed by the accused.

2. In the light of that, criminal application seeking leave to file appeal under Section 378(1) (3) is granted.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)