

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2227 OF 2015

The State of Maharashtra,
Through Police Station Officer,
Police Station Ashti,
Tq-Ashti, Dist-Beed.

...APPLICANT

VERSUS

- 1) Vilas Pandurang Dhonde,
R/o-Solewadi, Tq-Ashti,
Dist-Beed,
- 2) Kamalbai w/o Vilas Dhonde,
R/o-As Above,
- 3) Ujwala Vilas Dhonde,
R/o-Behind Dhonde Petrol Pump,
Ashti, Dist-Beed,
- 4) Upendra Vilas Dhonde,
R/o-Nisarga Building,
Akurdi, Pune.

...RESPONDENTS

...
Mr. M.M. Nerlikar, A.P.P. for Applicant.
...

CORAM: A.I.S. CHEEMA, J.

DATE : 27TH JULY, 2015

ORDER :

1. Heard learned A.P.P. for State. Perused the Application and reasonings recorded by the trial Court with regard to the evidence which was brought on record.

2. The learned A.P.P. submits that only because PW-2 Deepak, the husband, turned hostile subsequently, the dying declarations were disbelieved by the trial Court.

3. In view of the submissions made and the reasonings recorded by the trial Court, matter needs to be reconsidered.

4. As such, Application is allowed. Leave is granted. Application is converted into appeal.

5. Appeal is **Admitted**.

6. Paper Book be got prepared urgently.

7. Action under Section 390 of the Code of Criminal Procedure be taken against the Respondents-accused in the trial Court.

[A.I.S.CHEEMA,J.]

asb/JUL15