

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders or Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 2376 OF 2015
IN APEAL/343/2012

GORAKH KISAN MHASKE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. R. A. Jaiswal, advocate h/f
Mr. Ghanekar Nilesh S.
APP for Respondent: Mr. S. A. Ambad.

CORAM: T. V. NALAWADE, J.
DATED: 25th JUNE, 2015.

PER COURT:

1. The application is filed for releasing the property attached by declaring the applicant as absconding accused. Learned counsel for the Applicant submitted that the applicant came to be acquitted in this Court in Criminal Appeal No.343 of 2012 by decision dated 21st April, 2015. He made a statement that the applicant had surrendered before lower Court on 17th December, 2014. Direction was given by this Court to take steps for proclamation and attachment on 13th December, 2013 in

view of provision of section 85 of Cr.P.C. The Applicant is placing reliance on the case of “**Vimalben Ajitbhai Patel V/s Vatslaben Ashokbhai Patel**” reported in **(2008) 4 SCC 649**. This Court holds that the property needs to be released.

2. In the result, application is allowed. Release the property to the Applicant. In case, the entry is taken in the revenue record, the entry is to be removed.

[T. V. NALAWADE, J.]

Dt.25/06/2015
ans/2376