

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 3198 of 2014

The State of Maharashtra,
Through S.K. Tambe, PSI,
Akole Police Station,
District : Ahmednagar.

.. Applicant
(Original complainant)

versus

1. Balkrishna Pandharinath Jadhav - Abated.
2. Laxman Pandharinath Jadhav,
Age : 41 years,
3. Anjanabai Balkrishna Jadhav,
Age : 40 years,
4. Chandrakala Laxman Jadhav,
Age : 32 years,
5. Santosh Balkrishna Jadhav,
Age : 21 years,

Nos.2 to 5 R/o. Tambhol,
Taluka : Akole,
District : Ahmednagar.

.. Respondents
(Original accused)

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*Mr. S.G. Nandedkar, Additional Public Prosecutor, for
the applicant - State.*

Application abated as against respondent no.1.

Mr. R.D. Bhalerao, Advocate, for respondent nos.2 to 5.

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 9TH FEBRUARY 2015

PER COURT :

1. Heard learned APP Mr. S.G. Nandedkar appearing for the applicant - State, and Adv. Mr. R.D. Bhalerao appearing for respondent nos.2 to 5. Application abated as against respondent no.1.
2. Perused the findings recorded by the trial court and in particular, para 24 of the impugned judgment. In our opinion, the findings are not correct in law. In that view of the matter, we are inclined to allow this application.
3. The Application is allowed in terms of prayer clauses “A”, “B”, “C” and “F”. The Application stands disposed of.
4. Appeal **Admit.**
5. Adv. Mr. R.D. Bhalerao appearing for respondent nos.2 to 5 waives service of notice after admission, on behalf of respondent nos.2 to 5.
6. Action under Section 390 of the Code of Criminal Procedure, 1973, to follow against respondent nos.2 to 5, before the Additional Sessions Judge, Sangamner.

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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