

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGBAD**

CRIMINAL APPLICATION NO. 2725 OF 2015

THE STATE OF MAHARASHTRA
VERSUS
ASHWINI W/O GOKUL KALE & ANR

...
APP for Applicant : Mr. K.S. Patil

...
CORAM : S.S. SHINDE & A. I. S. CHEEMA, JJ.

Dated: August 10, 2015

...
PER COURT :-

Heard.

2. Prima facie, it appears that, the trial Court has not properly appreciated the contents of the dying declaration at Exhibit - 33 and Exhibit - 40. In that view of the matter, the case is established for allowing this application seeking leave to appeal. Accordingly, the application is allowed in terms of prayer clauses 'A', 'B', 'C' and 'F' and same stands disposed of.

3. **Appeal is admitted.**

4. Action under Section 390 of Cr.P.C. to follow before the Sessions Court, Beed.

(A. I. S. CHEEMA, J.)

(S.S. SHINDE, J.)

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