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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3479/2014

The State of Maharashtra.

...Applicant..
Appellant..

Versus

Appasaheb Laxman Gavhane & another.
...Respondents...

.....

Shri S.G. Karlekar, APP for applicant / appellant.
Shri R.K. Temkar, Advocate for respondent nos.1 & 2.

.....

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

DATE: 20.01.2015

ORDER :

1] Heard learned counsel for the parties. Perused the record and proceedings.

2] Prima facie, we find that the trial Court has not properly appreciated the evidence on record. The application deserves consideration. Hence, the application is allowed in terms of prayer clauses (A), (B), (C) and (F).

3] Admit appeal.

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4] On admission of appeal, learned counsel Shri R.K. Temkar waives notice for respondent nos.1 & 2.

5] Action u/s 390 of the Code of Criminal Procedure, 1973, to follow before the Sessions Court, Ahmednagar.

(A.M. BADAR, J.)

(S.S. SHINDE, J.)