

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

**CRIMINAL APPLICATION NO. 3521 OF 2014 IN**  
**CRIMINAL APPLICATION NO. 3520 OF 2014**

The State of Maharashtra .. Applicant

Vs.

Omkar @ Rajabhau Sudhakar Kale .. Respondent

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Mrs. S.D. Shelke, A.P.P. for the applicant/State  
Mr. M.B. Sandanshiv, Advocate for the respondent  
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**CORAM : M.T. JOSHI, J.**

**DATE : 06/04/2015**

**ORAL ORDER :**

1. Heard both sides.
2. For the reasons stated in Criminal Application no. 3521 of 2014, delay of 31 days caused in filing Criminal Application no. 3520 of 2014 seeking leave to file appeal, is hereby condoned. Criminal Application no.3521 of 2014 is allowed and disposed of.
3. In view of the grounds raised in Criminal Application no. 3520 of 2014, arguable case is made out. Hence, leave to file appeal is granted. Criminal Application no. 3520 of 2014 accordingly stands disposed of.

4. Appeal be registered as per due procedure of law. Upon registration of the appeal, the same stands **admitted**.

5. Call **R & P**.

6. Since the respondent – Omkar @ Rajabhau S/o Sudhakar Kale is already behind the bar suffering life imprisonment, no need to take action under section 390 of the Code of Criminal Procedure.

**[M.T. JOSHI]**  
**JUDGE**

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