

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****BENCH AT AURANGABAD****CRIMINAL APPLICATION NO.4219 OF 2014**

Shri Kedareshwar Sahakari Sakhar Karkhana  
Ltd. Suman Nagar, Bodhegaon,  
Tq-Shevgaon, Dist-Ahmednagar  
Through its authorized officer,  
Mukund Shivaji Mahajan, Age-39 years,  
Occu:Service, R/o-at Bodhegaon,  
Tq-Shevgaon, Dist-Ahmednagar.

**...APPLICANT**  
**(Orig. Complainant)**

**VERSUS**

- 1) The State of Maharashtra,
- 2) Mr. Ramrao s/o Baburao Andhale,  
Age-Major, Occu:Labour Contractor,  
R/o-At Antarwali, Post-Kukana,  
Tq-Newasa, Dist-Ahmednagar. **(Orig. Accused)**

**...RESPONDENTS**

...  
Mr. A.V. Hon Advocate h/f. Mr. V.D. Hon  
Advocate for Applicant.  
Mr. K.S. Patil, A.P.P. for Respondent No.1.  
...

**CORAM: A.I.S. CHEEMA, J.**

**DATE : 13TH MARCH, 2015**

**ORAL ORDER :**

1. Heard learned Counsel for Applicant.

Perused record.

2.           Going through the Judgment and reasons, there appears to be an arguable case which requires this Court to reconsider and re-appreciate the evidence. As such leave is granted. The Application is allowed. Application be converted into Appeal.

3.           Appeal is **Admitted**. The learned A.P.P. waives service of notice for Respondent No.1, after admission of the Appeal.

4.           Action under Section 390 of Cr.P.C. be taken against Respondent No.2 - accused in the trial Court and brief compliance report be called.

5.           Paper Book be got prepared.

[A.I.S. CHEEMA, J.]