

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

CRIMINAL APPLICATION NO. 4553 OF 2014

THE STATE OF MAHARASHTRA
VERSUS
SAMBHAJI EKNATH PISOTE AND OTHER

...

APP for Applicant/State : Mr.A.V. Deshmukh.

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

Dated: JULY 06, 2015

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Heard learned APP for the State. With his able assistance, perused the original dying declaration at Exh.26 recorded by the Special Executive Magistrate, the evidence of P.W.2 and also that of the Medical Officer, who examined the deceased. *Prima facie*, findings recorded by the trial Court appear to be not in consonance with the evidence on record and in particular, dying declaration at Exh.26.

2 In that view of the matter, application is allowed in terms of prayer clauses (B), (C), and (F) and stands disposed of.

3 Appeal **admitted.**

4 Action u/s 390 Cr.P.C. to follow before the
Court of Additional Sessions Judge, Ahmednagar.

(A.I.S. CHEEMA, J)

(S.S. SHINDE, J)

kadam/