

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.5260 OF 2014

THE STATE OF MAHARASHTRA
VERSUS
GOPAL S/O LAXMAN GITTE

...
App for Applicant/State : Mrs.S.G. Chincholkar.
Advocate for Respondent : Mr.Giri Umakant P.

...
CORAM : S.S. SHINDE & A.M. BADAR, JJ.
Dated: FEBRUARY 02, 2015

...
Heard. Perused the record made available from the trial Court. *Prima facie*, it appears that the trial Court was influenced by the 36 hours delay in filing the FIR and has not properly considered the other evidence on record. In that view of the matter, case is established for allowing this application seeking leave to appeal.

2 Accordingly, application is allowed in terms of prayer clauses (B),(C), (D) and (F) and stands disposed of.

3 Appeal **admitted**.

On admission, Mr.Giri, learned Counsel waives service for respondent.

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

(A.M. BADAR, J)

(S.S. SHINDE, J)

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