

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

CRIMINAL APPLICATION NO. 4984 OF 2013

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The State of Maharashtra,
Through Police Station Kurunda,
Tq. Basmat, Dist. Hingoli.

...Applicant
(Ori. Complainant)

versus

1. Narayan S/o Dulbaji Kunturkar,
Age : 50 years, Occu. Labour,
R/o Donwada, Tq. Basmat.
2. Santosh s/o Narayan Kunturkar,
Age 20 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
3. Ratnabai w/o Narayan Kunturkar,
Age 45 years, Occu. Household,
R/o. Donwada, Tq. Basmath
4. Munjaji Maroti Dalvi,
Age 45 years, Occu. Agri.,
R/o. Donwada, Tq. Basmath
5. [Baban Balaji Waghmare,
Age 27 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
[Deleted as per Order dtd.
24.11.14]
6. Bhiwaji Ganpati Khokle,
Age 60 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
7. Deorao Govindrao Khokale,
Age 45 years, Occu. Labour,
R/o. Donwada, Tq. Basmath

8. Sakharam Hasaji Khokle,
Age 50 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
9. Sudam Shivram Bharkade,
Age 22 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
10. Parasram Umaji Bharkade,
Age 32 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
11. Sakharam Tanaji Bharkade,
Age 35 years, Occu.
R/o. Donwada, Tq. Basmath
12. Ganaji Deorao Khokle,
Age 20 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
13. Renukabei Prakash Khokale,
Age 35 years, Occu. Household,
R/o. Donwada, Tq. Basmath
14. Watchalabai Ukandi Moghe,
Age 65 years, Occu. Household,
R/o. Donwada, Tq. Basmath
15. Sundarabai alias Vatchalabai
Shivram Bharkade,
Age 35 years, Occu. Household,
R/o. Donwada, Tq. Basmath
16. Kalabai alias Kamalbai Bhiwa
Kokale, Age 35 years, Occu.
Household, R/o. Donwada,
Tq. Basmath
17. [Girjabai Tanaji Bharkade,
Age 65 years, Occu. Household,
R/o. Donwada, Tq. Basmath
[Deleted as per Order dtd.24.11.14]

18. Shantabai Sakharam Bharkade,
Age 35 years, Occu. Household,
R/o. Donwada, Tq. Basmath
 19. Sadashiv Bhiwaji Khokale,
Age 28 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
 20. Shivaji Sakharam Khokle,
Age 27 years, Occu.
R/o. Donwada, Tq. Basmath
 21. Shyamrao Anandrao Khokale,
Age 23 years, Occu. Labour,
R/o. Donwada, Tq. Basmath
- .. Respondents
(Ori. Accused)

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Mr. B.L. Dhas, A.P.P. for Applicant- State

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

DATED : 9th MARCH, 2015

Order :-

1. Heard learned Additional Public Prosecutor. Perused the record and proceeding received from trial Court.
2. Considered the evidence recorded and judgment passed by the trial Court. There is arguable case as regards respondents – Original Accused No. 1 to 4, 9 and 21. As such, leave is granted limited to respondents – Original accused Nos. 1 to 4, 9 and 21.

3. Application is rejected so far as respondents - original accused No. 6 to 8, 10 to 16, 18 to 20 is concerned.
4. Application be converted into appeal regarding respondents – Original accused Nos. 1 to 4, 9 and 21.
5. **Appeal is Admitted** as regards respondents – Original accused Nos. 1 to 4, 9 and 21.
6. Paper- book be got prepared.
7. Action under Section 390 of the Code of Criminal Procedure be taken against respondents -original accused No. (1) Narayan S/o Dulbaji Kunturkar, (2) Santosh S/o Narayan Kunturkar, (3) Ratnabai W/o Narayan Kunturkar, (4) Munjaji Maroti Dalvi, (9) Sudam Shivram Bharkade and (21) Shaymrao Anandrao Khokale in the trial Court and brief compliance report be called for.

Sd/-

(A.I.S. CHEEMA, J.)

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