

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.5631 OF 2014

Shaikh Idris s/o Shaikh Hafiz,
Age-38 years, Occu:Business,
R/o-Chandani Chowk, Savda,
Tq-Raver, Dist-Jalgaon.

...APPLICANT
(Orig. Complainant)

VERSUS

- 1) State of Maharashtra,
- 2) Shaikh Yusuf s/o Shaikh Iqbal,
Age-43 years, Occu:Business,
R/o-Behind Islampur Tekadi,
Rasalpur, Tq-Raver,
Dist-Jalgaon.
(Orig. Accused)

...RESPONDENTS

...
Mr. N.R. Shaikh Advocate for Applicant.
Mr. D.V. Tele, A.P.P. for Respondent No.2.
...

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

DATE : 28TH JANUARY, 2015

ORAL ORDER :

1. Heard learned counsel for Applicant. Respondent No.2 though served, is absent. 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 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 report be called.

5. Paper Book be got prepared.

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

asb/JAN15