

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5761 OF 2015 IN
CRIMINAL APPEAL NO. 732 OF 2003

Sudam Namdeo Ahire (Aher)

.. Applicant
(Resp.No.1/
Orig. Accused)

Vs.

Vishwanath S/o Nivrutti Adhav and anr.

.. Respondents

Mr. R.M. Sharma, Advocate for the applicant
Mrs. Rashmi Kulkarni, Advocate h/f. Mr. S.D. Kulkarni,
Advocate for respondent no.1
Mr. V.S. Badakh, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 20/10/2015

ORAL ORDER :

1. Heard.

2. Mr. Sharma, learned counsel for the respondent no.1 in criminal appeal no.732 of 2003 files on record Criminal Application no. 5761 of 2015 for recalling of the order passed by this Court dated 14th September, 2015 of issuing non-bailable warrant against respondent no.1. The same is accepted and marked as "X" for the purpose of identification.

3. For the reasons stated in the application, the same is allowed. The earlier order dated 14/09/2015 passed in Criminal Appeal No. 732 of 2003 is recalled. The non-bailable warrant issued to respondent no.1-Sudam Namdeo Ahire (Aher) is also recalled.

4. Criminal Application No. 5761 of 2015 is accordingly allowed and disposed of.

5. The present applicant/respondent no.1 in Criminal Appeal no. 732 of 2003 to continue on the same P.R. bond and surety bond that was already executed by him. Personal appearance of the respondent no.1 is hereby dispensed with.

6. Fix Criminal Appeal No. 732 of 2003 for final hearing on 19/11/2015.

[M.T. JOSHI]
JUDGE

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