

JPP

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION**

CRIMINAL APPLICATION NO. 37 OF 2015

The State of Maharashtra. ... Applicant.

V/s.

Chandrakant Maruti Naik and Ors. ... Respondents.

Mr. H.J. Dedhia, APP for the State.

**CORAM : P.V. HARDAS &
Dr. SHALINI PHANSALKAR-JOSHI, JJ.**

APRIL 7, 2015.

P.C. :-

By this Application the Applicant - State seeks leave to file Appeal challenging the part of the Judgment of the 2nd Additional Sessions Judge, Kolhapur, dated 24.12.2014 in Sessions Case No. 9 of 2013 acquitting the Respondents for offence punishable under Section 302, 201 r/w. 34 of the Indian Penal Code.

2. We have heard the learned APP with whose assistance we have perused the findings recorded by the Trial Court. Upon such perusal, in our opinion, this is a fit case for granting leave.

3. We, accordingly, allow this Application and grant leave as prayed for. The Appeal filed by the State Stands admitted. Action under Section 390 of the Code of Criminal Procedure be taken by the Trial Court by issuing bailable warrant against the Respondents for Rs.20,000/- each.

4. This Appeal to be heard alongwith the Appeal filed by the accused.

(DR.SHALINI PHANSALKAR-JOSHI, J.) (P.V. HARDAS, J.)