

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

**CRIMINAL APPEAL NO.428 OF 2014
with
CRIMINAL APPLICATION NO.88 OF 2015
in
CRIMINAL APPEAL NO.428 OF 2014**

Raju Dhanju Rathod ... **Appellant**
V/s.
The State of Maharashtra ... **Respondent**

**with
CRIMINAL APPEAL NO.476 OF 2014**

Ranesg Liganna Mudraj ... **Appellant**
V/s.
The State of Maharashtra ... **Respondent**

.....
Ms.Sartaj Shaikh, Advocate for the Appellant/applicant in
Cri.Appeal No.428 of 2014.
Ms.Anamika Malhotra, APP for the Respondent/State.

....

CORAM : ABHAY M. THIPSAY J.

DATED : 27TH APRIL 2015

P.C.

1. Heard Ms.Sartaj Shaikh, the learned counsel for the applicant.
2. When this application for suspension of sentences was heard earlier, it was thought desirable to decide the appeal itself

expeditiously. Today, the learned counsel for the applicant again presses the application on the ground that the appeal is not being heard immediately.

3. The emphasis of the learned counsel for the applicant is only on the discrepancies appearing in the record maintained by the police officer investigating into the matter.

4. In my opinion, for this, the entire evidence and at least the entire evidence of that officer needs to be seen. The view taken by me earlier that it was desirable to hear the appeal itself expeditiously is proper, and only on the basis of the discrepancies in the police record, which are supported by some admissions elicited from the pancha witness, the application for suspension of sentences cannot be granted.

5. Let the appeals be fixed peremptorily for final hearing in the week commencing from **22nd June 2015**.

6. Liberty to mention, thereafter.

(ABHAY M. THIPSAY J.)