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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.204 OF 2015
IN
CRIMINAL APPEAL NO.1365 OF 2012

Umashankar Chandroka Prasad
and anr

... Applicant.

V/s.

The State of Maharashtra

.... Respondent

Mr. Sandeep Y. Katkade, for Applicant.

Mrs. A. S. Pai, A.P.P., for the Respondent-State.

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

DATE : 4TH MARCH, 2015.

P.C. :

1. This application by which the applicants pray for suspension of the substantive sentence of imprisonment and for their enlargement on bail pending the decision of the appeal.

2. At the outset, the learned counsel for the applicants has invited our attention to the order of this Court dated 4th July, 2013. This Court had directed that since the accused were convicted by the judgment of the trial Court dated 31.3.2005 and the appeal had been filed after a delay of nearly 7 years, the appeal filed by the applicants be treated as an

appeal of the year 2005 and the appeal be listed for final hearing.

3. The learned counsel for the applicants, has therefore, fairly pointed out to us that the appeal is already listed before this Court at Sr. No.395. Request is, therefore, made by the learned counsel for the applicant to grant a fixed date of hearing of the appeal as accused have already undergone approximately 12 years of imprisonment. In the light of the earlier order passed by us, we direct that the appeal be listed before this Court for final hearing on 12.03.2015.

4. In the light of the said order, therefore, the learned counsel for the applicants seeks to withdraw this application. Accordingly this application is dismissed as withdrawn with the aforesaid directions.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[P.V.HARDAS, J.]