

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

APPLICATION FOR LEAVE TO APPEAL(STATE) NO.40 OF 2014

State of Maharashtra ... **Applicant**

V/s.

Nandkumar Balkrishna Dabhade ... Respondent

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Mrs.S.V.Gajare, APP for the Applicant/State.

Mr.V.S.Agrawal with Mr.Rajesh Saravade, Advocate for the Respondent No.1.

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CORAM : A. M. THIPSAY J.

DATED : 12TH JANUARY, 2015

P.C.

1. Heard.
2. A perusal of the impugned judgment shows that the learned Judge came to the conclusion that, that the respondent demanded and accepted illegal gratification was duly proved, but the sanction to prosecute the respondent being bad in law, the respondent could not be convicted. According to the learned Additional Public Prosecutor, the sanction accorded in the present case was proper and valid
3. The matter needs examination.

4. Leave granted.
5. The application for leave be treated as a memo of appeal and be numbered accordingly.
6. Issue notice to the respondent.
7. The respondent shall execute a personal bond in the sum of Rs.20,000/- before the trial Court within a period of four weeks from the service of notice on him.
8. Hearing of the appeal is ordered to be expedited.
9. Liberty to either of the party to move the Court to get the date for final hearing fixed after receipt of record and proceedings.

(A. M. THIPSAY J.)