

Smt.Vahida Jaki Shaikh ... **Applicant**
V/s.

Mohammad Jakiulla Anwarulla
Mohammad Abdulla & Ors. ... Respondent

Mr.R.R.Salvi i/b. Suvarna Telegote, Advocate for the Applicant.
Mrs.S.V.Gajare, APP for the Respondent/State.

CORAM : ABHAY M. THIPSAY J.
DATED : 7TH MAY 2015

P.C.

1. Though leave under Section 378(4) of the Code of Criminal Procedure is sought for, it turns out that the case against the respondent arose on the basis of a police report, and that the present appeal is being filed in the appellant's capacity as the 'victim'. This is permissible in view of the proviso to Section 372 of the Code of Criminal Procedure.
2. It has been held by this Court ¹(majority view) that for such an appeal, no leave is necessary
3. The application for leave to appeal be treated as a memo of appeal and be numbered accordingly. Necessary amendments be carried out within two weeks.
4. The appeal be listed for admission on **19th June 2015**.

(ABHAY M. THIPSAY J.)

1 Criminal Appeal Nos.991, 992, 331, 854 of 2011, decided on 22th June 2012