

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.133 OF 2014
IN
CRIMINAL APPEAL NO..... OF 2014

Union of India,
Through Kaushik Manna (Public Servant),
Intelligence Officer, N.C.B., Mumbai Applicant
V/s.
Shaukat Ali Abdul Sattar & Ors. Respondents

Mrs. Uma Palsuledesai for the Applicant.

Mr. H.J. Dedhia, A.P.P., for Respondent No.3/State.

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

DATE : 24TH MARCH, 2015.

P.C. :

1. By this application, the Applicant seeks leave to file Appeal against the Judgment of the Special Judge, N.D.P.S., Thane dated 21st February, 2014 in N.D.P.S. Special Case No.24 of 2011 acquitting Respondent Nos.1 and 2.

2. We have heard the learned Counsel for the Applicant, with whose assistance we have perused the findings recorded by the Trial Court. We have also perused the evidence of the prosecution witnesses. 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. Appeal filed by the Appellant questioning the acquittal stands admitted. Action under Section 390 of the Code of Criminal Procedure be taken by the Trial Court by issuing bailable warrants for Rs.25,000/- each against Respondent Nos.1 and 2.
4. Learned A.P.P. accepts notice of admission of Appeal on behalf of Respondent No.3-State of Maharashtra.
5. Criminal Application is allowed as indicated above.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[P.V.HARDAS, J.]