

Ladda

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No.1193 of 2015
ALONG WITH
CRIMINAL APPEAL No. 930 of 2015

Laxman Namdeo Gangurde ..Applicant/Appellant.

Vs.

The State of Maharashtra & Anr ..Respondents.

Mr Dilip Bodakhe, Advocate for the Applicant/Appellant.
Mrs P.P. Bhosale, APP for the State.

CORAM : A.R.JOSHI,J
DATE : 27th October,2015.

P.C. :

- 1) After hearing the learned counsel for the applicant on this application for bail, it is prayed on behalf of the applicant that present application for bail preferred during pendency of the appeal may be allowed to be withdrawn, as the entire appeal can be expedited.
- 2) This prayer is considered in the light of the substantive evidence of the prosecutrix PW no.1, wherein she had given

certain answers as to not happening of any such incident of sexual assault on her. Apart from this substantive evidence of PW no.1, the medical evidence of doctors PW nos. 5 and 7 goes to suggest that there was some internal injury on the private part of the girl.

3) Considering the effect of the substantive evidence, in totality, in the opinion of this Court, the hearing of the appeal can be expedited and the present application can be disposed of as withdrawn. Hence the order :

: ORDER :

(a) The Criminal Application No. 1193 of 2015 is dismissed as withdrawn and accordingly disposed of;

(b) The appeal is expedited and it be taken for final hearing after the paper book is prepared;

(c) Liberty to the appellant to file private paper book and to apply for fixed date for final hearing after the paper book is prepared.

(A.R. JOSHI, J.)