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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION**

**CRIMINAL APPLICATION NO. 1494 OF 2014
IN
CRIMINAL APPEAL NO. 532 OF 2014**

Munna Singh Rampal Singh @ Patel. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Mr. Nitin Sejpal for the Applicant.
Mrs. S.D. Shinde, APP for the State.

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

JANUARY 16, 2015.

P.C. :-

Mr. Nitin Sejpal, learned Counsel for the Applicant at the outset states that the Applicant may be permitted to withdraw this application and a request is made by the learned Counsel for the Applicant for expediting the hearing of the Appeal as the conviction of the Appellant is based on the testimony of only two witnesses i.e. PW-1 Brijlal Ramlakh Benbance and PW-9 Rajani Kiran Lakada. According to the learned Counsel for the Applicant, the evidence of the 2 witnesses does not establish beyond reasonable doubt that it was the Applicant who had stabbed deceased.

2. We accordingly dismiss this Application as withdrawn with liberty to the Applicant to apply for suspension of sentence on his release on bail afresh in the event the Appeal is not heard within six months from today. We are informed that the paper-book has been received and in the light of the submissions by the learned Counsel for the Applicant, we direct that the Appeal be added to the final hearing board at its appropriate place on the board from 2nd February 2015.

3. Application is accordingly dismissed as withdrawn with the aforesaid directions and liberty.

(DR.SHALINI PHANSALKAR-JOSHI, J.) (P.V. HARDAS, J.)