

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:

NAGPUR BENCH : NAGPUR

Criminal Appeal No. 44 of 2003

[Narayan Raibhan Dhandare & another Vs. State of Mah. through PS, Hiwarkhed, Distt. Buldana]

With

Criminal Appeal No. 19 of 2003

[Madhukar Pundlik Dhandare & another Vs. State of Mah. through PS, Hiwarkhed, Distt. Buldana]

With

Criminal Appeal No. 92 of 2003

[Ramesh Sitaram Warthe Vs. State of Mah. through PS, Hiwarkhed, Distt. Buldana]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Criminal Appeal No. 44/03 :

Mr. Abhijit Deshpande, Adv., for Appellants.
Ms. T.H. Udeshi, APP for respondent.

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Criminal Appeal No. 19/03 :

Mr. D.V. Mahajan, Adv., for Appellants.
Ms. T.H. Udeshi, APP for respondent.

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Criminal Appeal No. 92/03 :

Mr. P.B. Patil, Adv., for Appellant.
Ms. T.H. Udeshi, APP for respondent.

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**CORAM : A.B. CHAUDHARI AND
P.N. DESHMUKH, JJ.**

DATE : 22nd April, 2015.

in Criminal Appeal No. 44 of 2003, **appellant No.2 Manohar Narayan Dhandare** is represented by learned Adv. Mr. Abhijit Deshpande. Both Mr. Deshpande as well as learned APP Ms. Udeshi inform that the Appellant No.2 Manohar Dhandare expired on 15th May, 2013. Accordingly, both of them have filed Pursis along with Death Certificate which are taken on record.

We accept the statement and hold that the Appeal filed by **Manohar Narayan Dhandare** stands abated. Criminal Appeal No. 44 of 2003 is, therefore, dismissed as abated as far as Manohar Narayan Dhandare is concerned.

Criminal Appeal No. 44 of 2003 :

Pursis St. No. 1243/15 is filed by learned APP Ms. Udeshi in the connected Criminal Appeal No. 19 of 2003, stating that the Appellant No.1 in Criminal Appeal No. 44 of 2003 **Narayan Raibhan Dhandare** expired on 20th November, 2006 and accordingly Death Certificate along with Pursis has been filed on record.

Hence the Appeal filed by Appellant no.1 also

stands abated.

In the result the following Order:-

Criminal Appeal No. 44 of 2003 is dismissed as abated.

Criminal Appeal No. 19 of 2003 :

Counsel states that the Appellant No.2 Narayan Raibhan Dhandare is no more, in whose respect, we have already made an order as above and accordingly dismissed Criminal Appeal No. 44 of 2003.

In so far as Appellant No.1 **Madhukar Pundlik Dhandare** is concerned, the appeal continues.

Criminal Appeal No.92 of 2003 :

Learned Adv. Mr. P.B. Patil appearing for appellant Ramesh Sitaram Warthe informs that he had sent a registered notice to the said appellant Ramesh on his address "Dagi, Post Hiwarkhed, Tq. Khamgaon, Distt. Buldana"; but the postal report shows that he has left the place of his ordinary residence. That being so, we issue non-bailable warrant for arrest of appellant

Ramesh Sitaram Warthe through Police Station Officer, Hiwarkhed, Tq. Khamgaon, Distt. Buldana and through Superintendent of Police, Buldana, returnable on 6th May, 2015.

Stand over to 06th May, 2015.

Judge

Judge

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