

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2534 OF 2016
CRIMINAL APPEAL NO.490/2001 WITH CRIMINAL APPEAL
NO.490/2001

ASHOK SAMPAT BHOSALE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Hemantkumar F. Pawar
holding for Mr. R. B.Ade
APP for Respondent State: Mr. P. N. Kutti

CORAM : A.I.S. CHEEMA, J.

DATE : 04th May, 2016

ORDER:

1. In this matter, as the appellant-accused was not appearing nor his counsel was coming forward to conduct the matter, this court appointed amicus curiae and non-bailable warrants were required to be issued. Earlier, execution of warrants did not succeed but later on, when this Court, on 26th April, 2016, further passed strictures against the investigating officer, now the appellant-accused is coming forward, engaging advocate Shri Adhe. Today, even Advocate Shri Adhe is not present and on his behalf, Advocate Shri Pawar stands with instructions.

2. When already amicus curiae is appointed by the

Court and such coercive methods have to be restored to, the appellant-accused does not deserve any sympathy. However, subject to payment of costs of Rs.4,000/- (Rupees four thousand), to be deposited in this Court, the non bailable warrant may be recalled. The appellant-accused is at liberty to engage any counsel of his choice and argue the appeal.

3. List the matter on 07.06.2016, when the Appeal should be argued.

(A.I.S. CHEEMA, J.)

JPC