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

CRIMINAL APPLICATION NO. 2726 OF 2015

The State of Maharashtra

..APPLICANT

VERSUS

Pranali Trimbak Tayade

..RESPONDENT

Mr C. V. Dharurkar, Addl. Public Prosecutor for applicant;
Mr C. P. Sengaonkar, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 24th June, 2016

ORAL ORDER :

This is an application for grant of leave to file an appeal for acquitting respondent-accused in crime in question.

2. The appeal against conviction by other accused person, in the same crime, is already admitted by this Court vide Criminal Appeal No. 114 of 2015.

3. Learned Counsel appearing on behalf of respondent strenuously opposed grant of leave on the ground that the sanction was not properly granted and acquittal is on merits.

4. In my opinion, having heard learned Additional Public Prosecutor, it is required to be noted that, once an appeal of co-accused against conviction, is admitted by this Court and since one of the ground for acquittal of respondent - accused is that of incorrect sanction to prosecute, needs reconsiderations.

(2)

5. Hence, in the interest of justice, it will be appropriate, to hear present application with Criminal Appeal No. 114 of 2015.

6. In view thereof, leave granted. Criminal Application stands allowed.

7. Action under section 390 of the Code of Criminal Procedure be taken against the respondent.

8. To be heard with Criminal Appeal No. 114 of 2015.

(N.W. SAMBRE, J.)

sjk