

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

CRIMINAL REVISION APPLICATION NO. 99 OF 2015

Lalasaheb s/o Nanasaheb Shinde,
Age:62 years, Occ: Advocate,
R/o. Mangalwar Peth, Ambejogai,
Dist. Beed.

...Applicant

versus

The State of Maharashtra

...Respondent

.....
Mr. A.M. Gaikwad, Advocate for applicant
Mr. A.R. Kale, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 5th APRIL, 2016

ORAL ORDER :

In view of the order passed by the Division Bench in Writ Petition No. 2554 of 2009 decided at Principal Seat at Bombay in Criminal Appellate Jurisdiction on 16/08/2010, in my opinion, the finding recorded below Exhibit-6, particularly in relation to the status of the applicant, as public servant, by learned Special Judge, Ambejogai in his order dated 07/05/2015, does not call for any interference. As such, the challenge to that extent stands dismissed.

2. It is then required to be noted that the applicant also raised an issue as regards sanction under Section 197 of Code of Criminal Procedure read with Section 19 of the Prevention of

Corruption Act.

3. It is claimed that the said issue is not dealt with in the impugned order.

4. Perusal of the order passed below Exhibit-6, it is already upheld. It appears that the Court has not dwelt upon the said issue. As such, in my opinion, it will be appropriate to direct the Sessions Court to deal with the said issue independently by segregating the pleadings to that effect by marking it separate exhibit.

5. With the above observations, the revision stands dismissed.

[N.W. SAMBRE, J.]