

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

CRIMINAL APPLICATION NO.3408 OF 2014

Sharda Baliram Mote

..Applicant

Versus

Vilas s/o Uttamrao Sanjekar

..Respondent

Mr A.S. More, Advocate for applicant

Mr S.J. Salunke, Advocate h/f Mr V.B. Deshmukh, Advocate for  
respondent

**CORAM : N.W. SAMBRE, J.**

**DATE : 16<sup>th</sup> March 2016**

**PER COURT**

Heard learned Counsel for the applicant.

2. Learned Magistrate, while dealing with the aspect of rebuttle of presumption has permitted the accused to rely upon the cross-examination of the complainant.
3. In view of above, it will be appropriate to grant leave.
4. As such, leave granted. The application be treated as appeal.
5. Admit. Mr Salunke, learned Advocate waives notice for respondent.
6. Action under Section 390 of Cr.P.C. to follow.

**( N.W. SAMBRE, J.)**

vvr