

(1)

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

CRIMINAL APPLICATION NO.3577 OF 2014

The State of Maharashtra

..APPLICANT

VERSUS

Sharad Shaligram Patil & anr.

..RESPONDENTS

Mr R.B. Bhagat, Addl. Public Prosecutor for applicant;
Mr Aditya Sikachi, Advocate holding or Mr A.S. Sawant, Advocate for
respondent no.1

CORAM : N.W. SAMBRE, J.

DATE : 7th March, 2016

ORDER :

Heard.

2. The respondents are acquitted of the offences punishable under sections 306, 498-A, 504 read with section 34 of the Indian Penal Code.

3. Exhs.20 and 26 are the dying declarations, which in clear terms narrate the cruelty meted out to the deceased. The said aspect is lost sight of by the learned Ad hoc Assistant Sessions Judge while acquitting the respondents.

4. In view thereof, leave granted.

5. Criminal Application stands allowed.

6. Office to register the appeal.

7. Upon registration, appeal is admitted.

(2)

8. Mr Aditya Sikachi, learned Counsel waives service of notice of admission of appeal, on behalf of respondent no.1.

9. Action under section 390 of the Code of Criminal Procedure be taken against the respondents.

(N.W. SAMBRE, J.)

amj