

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3516 OF 2016
IN
CRIMINAL APPEAL NO.850 OF 2005

Raghunath s/o Dashrath Garud,
Age-77 years, Occu:Nil.,
R/o-Varur (Bk.), Tq-Shevgaon,
Dist-Ahmednagar

...APPLICANT
(Orig. Resp. No.1)

VERSUS

- 1) Vridheshwar Agricultural Produce
Transport Pvt. Ltd.,
Adinathnagar, Tq-Pathardi,
Dist-Ahmednagar,
Through its Designated Person,
Shri Vasant s/o Bapurao Tupe,
Age-63 years, Occu:Service,
R/o-Adinathnagar, Tq-Pathardi,
Dist-Ahmednagar,

- 2) The State of Maharashtra

...RESPONDENTS

...
Mr.L.B. Pallod Advocate for Applicant - Orig.
Respondent No.1.
Mr.G.B. Rajale Advocate for Resp. No.1 - Orig.
Appellant.
Mrs.V.N. Patil-Jadhav A.P.P. for Resp. No.2.
...

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

DATE : 28TH JUNE, 2016

ORDER :

1. Heard counsel for the Applicant - original Respondent No.1 accused and counsel for original Appellant. Counsel for Applicant - original Respondent No.1 has filed application to recall the bailable warrant issued. It is stated that original Respondent No.1 is about 76 years old. Shri L.B. Pallod Advocate for Applicant states that he has all the necessary instructions from original Respondent No.1 to argue the Appeal and he will argue the Appeal on the next date or on the date as may be fixed by this Court.

2. For the reasons stated in the Application, the Application is allowed. The bailable warrant issued against original Respondent No.1 - accused is recalled. The trial

Court shall return theailable warrant without executing the same. Hamdast may be given to Advocate for original Respondent No.1 so as to get it served on the concerned Court / Police Station.

3. Fix the Criminal Appeal for hearing finally on 13th July 2016. It is made clear that no adjournment would be granted on next date and if the Appeal is not argued by the accused, no leniency would be shown.

[A.I.S.CHEEMA, J.]

asb/JUN16