

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions |
and Registrar's orders |

Court's or Judge's orders

CRIMINAL APPLICATION NO. 4119 OF 2016

BHAGYESH S/O MAHENDRAKUMAR
VERSUS
THE STATE OF MAHARASHTRA

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Adv. for applicant : Mr.N.V. Gaware
APP for Respondent/State:Mr.D.R. Kale
Adv. for Respondent no.2: Mr.G.J. Dahad

...

CORAM: S.S.SHINDE & SANGITRAO S. PATIL, JJ.

Dated: September 21, 2016

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Heard the learned counsel appearing for the applicant, learned A.P.P. appearing for the Respondent/State and the learned counsel appearing for Respondent no.2. With their able assistance, we have perused the pleadings in the application and annexures thereto and the order passed by the Division Bench of this Court in respect of the co-accused Raghvendra Sheshrao Nagurde Patil in Criminal Application no.3435 of 2016 decided on 19th July, 2016.

2. At the outset, the learned A.P.P. appearing for the Respondent/State submits that during the course of investigation, the mobile is recovered from co-accused Raghvendra. It appears that while allowing the application filed by co-accused Raghvendra, this Court has made observations that the changed version of the complainant is unreliable, untrustworthy and probably dishonest and with these observations the application filed by Raghvendra was allowed.

3. As already submitted by the learned A.P.P. that the mobile is recovered from Raghvendra and nothing is remained to be recovered from the present applicant, so also the learned counsel appearing for Respondent no.2 submits that Respondent no.2 has no further grievance against the present applicant, the application is allowed in terms of prayer clause 'B'. The application stands disposed of accordingly.

(SANGITRAO S. PATIL,J)

(S.S. SHINDE,J)

sga/