

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5276 OF 2015

THE STATE OF MAHARASHTRA
VERSUS
NILESH GULAB MHASKE AND ORS

...
Advocate for Applicant : Mr. S.Y. Mahajan, Additional Public Prosecutor

. . .

CORAM : S.S. SHINDE &
K.K. SONAWANE, JJ.

DATE : 18TH NOVEMBER, 2016.

PER COURT:

Heard learned APP for the State. Perused the findings recorded by the trial court. It appears that the trial court has not properly appreciated the evidence of the prosecutrix. Case is established for allowing this application, seeking leave to appeal qua the respondent No.1 - Nilesh Gulab Mhaske. So far as the respondent No.2 is concerned, he died during the course of the trial. So far as respondent No.3 is concerned, the judgment and order of the trial court needs no interference. Hence, the application is partly allowed to the extent of leave to file appeal against respondent No.1 - Nilesh Gulab Mhaske only and the same is accordingly disposed of.

2] Appeal is admitted to the extent of respondent No.1- Nilesh Gulab Mhaske.

3] Action under Section 390 of Cr.P.C. to follow against respondent No.1 before the Sessions Court, Ahmednagar.

[K.K.SONAWANE]
JUDGE

[S.S. SHINDE]
JUDGE

grt/-