

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.5878 OF 2014

The State of Maharashtra,
Through Police Inspector,
Inspector Karjat Police Station,
Dist-Ahmednagar.

...APPLICANTS

VERSUS

1) Ganesh Kondiba Agale,
Age-20 years,

2) Vijaya Kondiba Agale,
Age-48 years,

Both R/o-Malthan, Tq-Karjat,
Dist-Ahmednagar.

...RESPONDENTS

...

Mr. A.R. Borulkar A.P.P. for Applicant.
None present for Respondents.

...

**CORAM: S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.**

DATE : 13TH OCTOBER, 2016

ORDER :

. Heard learned A.P.P. appearing for the
Applicant - State. Inspite of service, none
appears for the Respondents.

2. With the able assistance of learned A.P.P., we have perused the notes of evidence and findings recorded by the trial Court. Prima facie it appears that finding recorded by the trial Court are not in consonance with the evidence brought on record by the prosecution. Hence the case is established for admission of the Appeal, allowing the Application seeking leave to appeal.

3. The Application is allowed in terms of prayer clause (A), (B), (C) and (F). Application stands disposed of accordingly.

4. Appeal **Admit.**

5. Action under Section 390 of Cr.P.C. to follow, against the Respondents, before the Sessions Court, Ahmednagar.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]