

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 APPEAL NO. 810 OF 2015

BALAJI S/O MARUTI KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for appellant : Mr.Abhisek B.
Kulkarni (appointed)
APP for Respondent/State:Mr.D.R. Kale
Advocate for Respondent nos.2 and 3:
Mr.S.S. Panale

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CORAM: S.S.SHINDE & SANGITRAO S. PATIL, JJ.
Dated: October 18, 2016

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Heard the learned counsel appearing
for the appellant and the learned A.P.P.
appearing for the Respondent/State.

2. Perused the findings recorded by the
Trial Court and the notes of evidence,
which are made available for perusal. It
appears that the informant, who was
injured did not depose before the trial
Court anything against Respondent nos.2

and 3. The Trial Court after considering the evidence of the appellant and also that of the other prosecution witnesses reached to the conclusion that Respondent nos. 2 and 3 have not shared common intention, and therefore, the benefit of doubt is given to the said Respondents. In that view of the matter, we do not see any reason to admit this appeal. Hence the appeal stands dismissed.

3. Since, Mr. Abhisek Kulkarni, the learned counsel is appointed to prosecute the cause of the appellant, his fees be paid as per the schedule of fees maintained by the High Court Legal Services Sub-Committee, Aurangabad.

(SANGITRAO S.PATIL, J) (S.S. SHINDE, J)