

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 171 OF 2016
IN
CRIMINAL APPEAL NO. 252 OF 1995

1.	Amar Chandrakant Nalawade		
2	Suresh Gopal Gaikwad	)	
	since deceased through his legal	)	
	heirs Smt. Maya Suresh Gaikwad	)	
	& Ors.	)...	Applicants.
	vs.		
	The State of Maharashtra		Respondent

Mr. Ranjitsingh R. Bhonsale, Advocate for the applicants.
Ms. A.A.Mane, APP, for the State.

CORAM: SMT. SADHANA S.JADHAV, J.
DATE : 4th February, 2016.

P.C.

The applicants herein are the legal heirs of the deceased Suresh Gopal Gaikwad, who is appellant No.2 in Criminal Appeal No.252 of 1995. The appellant No.2 has expired on 18.9.2015.

2. The appellant No.2 is convicted for the offences punishable under Sections 143, 147, 148, 304 Part II read with Section 149, 330 read with Section 149, 348 read with Section 149 of IPC and under Section 66(b) read with 145(2) of Bombay Police Act. The appeal is listed for final hearing.

3. The learned counsel for the applicants submits that the appellant No.2 has a good case on merits. That the appellant No.2 happens to be a public servant. In view of this the following order :-

ORDER

- (i) The application seeking leave to be impleaded as appellants is hereby allowed.
- (ii) The legal heirs herein are permitted to prosecute the appeal in lieu of Suresh Gopal Gaikwad.
- (iii) Amendment to be carried out forthwith.
- (iv) For the reasons assigned in para 3 of the application, the delay in bringing the legal heirs on record is hereby condoned in the interest of justice.

Application is allowed in the above terms.

(SMT.SADHANA S.JADHAV, J.)