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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.69 OF 2016

The State of Maharashtra

.... Applicant

V/s.

Ajay @ Mungalaya Bhimrao Kale
and anr

.... Respondents

Mr. J. P. Yagnik, APP for the Applicant State.

**CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 22nd NOVEMBER, 2016.

P.C. :

1. Heard Mr. Yagnik, learned APP for the State.
2. Perused the impugned judgment and order. We have also perused the notes of evidence tendered by the learned APP.
3. Prima facie, we find that the learned Additional Sessions Judge, has committed an error in disbelieving eye witnesses P.W. Nos 2 & 3. Arguable case is being made out. We, therefore, grant leave.
4. Appeal admitted.
5. Registry is directed to take action under Section 390 of Code of Criminal Procedure.

[DR. SHALINI PHANSALKAR JOSHI, J.]

[RANJIT MORE,J.]