

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.315 OF 2013**

**SIRAJ UL-HAQ KHAN**

**)...APPLICANT**

**V/s.**

**NISAR AHAMAD CHOUDHURY & ORS.**

**)...RESPONDENTS**

Shri N.V.Sawant, Advocate for the Applicant.

Shri Mahendra Moholkar, Advocate for Respondent No.1.

Shri A.R.Patil, APP for the Respondent - State.

**CORAM : ABHAY M. THIPSAY, J.**

**DATE : 2<sup>nd</sup> APRIL 2016.**

**P.C. :**

1 Heard.

2 I have gone through the observations made in paragraph 92 of the judgment. I have also gone through the observations made in paragraph 89 of the judgment.

- 3 Leave granted.
- 4 The application be treated as a 'Memo of Appeal' and  
be numbered accordingly.
- 5 Necessary amendment be carried out within a week.
- 6 The appeal is admitted.
- 7 Issue notice to the respondents.
- 8 Respondent No.1 shall execute a personal bond in the  
sum of Rs.15,000/-, before the trial court, for himself  
and also for and on behalf of respondent no.2, within  
a period of four weeks from the service of notice upon  
him.
- 9 The hearing of the appeal is ordered to be expedited.
- 10 Liberty to either of the parties to move the court for  
getting a date for final hearing of the appeal fixed,  
after receipt of Record and Proceedings.

**(ABHAY M. THIPSAY, J.)**