

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1316 OF 2012

Harish Milani	...	Appellant
vs.		
The State of Maharashtra & Ors.	...	Respondents

None for the appellant.

Mr. Prasanna Bhangale a/w Mr. Niranjana Mundargi for respondent No.3.
Ms. A.A.Mane, APP, for the State.

CORAM: SMT. SADHANA S.JADHAV, J.
DATE : 8th January, 2016.

P.C.

None present for the appellant.

2. The appeal has been adjourned from time to time at the behest of the Advocate for the appellant. The appeal is of the year 2012. On 6.1.2015, this Court (Coram: A.M.Thipsay, J.) had observed that Mr. Kuldip Pawar informed the Court that Mr. Rathod has returned the brief and informed the appellant accordingly. However, he is unable to show any communication made by Mr. Rathod. Thereafter, the appeal was adjourned from time to time at the request of the appellant. On 8.6.2015 also the Advocate for the appellant has sought an adjournment. On 22.6.2015, none

appeared for the appellant. However, this Court (Coram: A.R.Joshi, J.) was pleased to adjourn the matter for 2 weeks. However, no efforts were made to take the matter on record. Today also none appeared for the appellant.

3. This is an appeal challenging the order rejecting the application filed under Section 340 of Cr.P.C. The appellant happens to be the original accused No.4. The appellant has prayed that the order dated 3.11.2012 in Criminal Application No.74 of 2012 passed by the Special Judge (C.B.I. Cases), Pune, be quashed and set aside and has also prayed that a complaint be registered against respondent Nos. 3 to 6 for the offence punishable under Section 340 of Cr.P.C. It is informed that the Special Judge has proceeded with recording of evidence. The learned Special Judge would pass appropriate orders in case there is evidence to that effect. Since the appeal is not being diligently prosecuted, the appeal stands dismissed for want of prosecution.

(SMT.SADHANA S.JADHAV, J.)