

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPA) NO.552 OF 2015

IN

CRIMINAL APPEAL NO..... OF 2015

Prakash Uikey

..vs..

State of Mah., thr PSO, PS Parshioni, District Nagpur

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri S.M. Puranik, counsel for the applicant/appellant.
Shri V.A. Thakre, Addl.P.P. for the State.

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.**

DATED : JANUARY 5, 2016.

Heard.

Applicant Prakash Uikey has approached legal aid for filing an appeal under Section 374 of the Criminal Procedure Code. The legal aid has entrusted the matter to learned Counsel Shri S.M. Puranik. Learned counsel has drafted an application for condonation of delay vide Criminal Application No.552 of 2015 and also criminal appeal.

Learned Addl.P.P. has pointed out that the prisoner has already filed Criminal Appeal No.401 of 2014 challenging very same judgment through Advocate Shri Kotwal. This Court has admitted that appeal on 15.7.2014

after condoning the delay and paper book has also been prepared.

With the assistance of learned counsel, we have perused the paper book. We find that on 15.7.2014 counsel representing the appellant in Criminal Appeal No.401 of 2014 was absent and behind his back this Court has admitted the appeal. It appears that after preparation of paper book, Advocate Shri Kotwal has also collected the same.

This proceeding in Criminal Application No.552 of 2015 are rendered superfluous. Same are accordingly disposed of.

Charges of learned counsel appointed for the applicant/appellant are fixed at Rs.1,500/-.

Registry to keep in mind that if learned counsel Shri Kotwal or other counsel engaged by the applicant/appellant does not appear in Criminal Appeal No.401 of 2014, the matter shall be handed over by it to learned counsel Shri S.M. Puranik, if so directed by this Court.

JUDGE

JUDGE

!! BRW !!

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