

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CRIMINAL APPLICATION NO. 1315 OF 2017

THE STATE OF MAHARASHTRA
VERSUS
POPAT PRABHU ALIAS PRALHAD DHUMAL AND
OTHERS.

...
APP for applicant: Mr. S.G. Karlekar
Advocate for Respondent nos. 1 to 6 :
Mr. Joydeep Chatterji

...
CORAM: S.S.SHINDE & K.K. SONAWANE, JJ.
Dated: April 20, 2017

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Heard the learned A.P.P. appearing
for the applicant/State and the learned
counsel appearing for the respondents.

2. We have carefully perused the notes
of evidence, and in particular, the
evidence of PW-6 and PW-7 and also the
medical evidence. In our prima facie
opinion, the findings recorded by the
trial Court does not appear to be fully
in consonance with the evidence brought

on record. In that view of the matter, this is a case where the application seeking leave to appeal deserves to be allowed. Accordingly, the application is allowed and the same stands disposed of.

3. **Appeal is admitted.** On admission, Mr. Joydeep Chatterji, learned counsel waives service for respondents.

4. To be heard along with Criminal Appeal No.740 of 2016 filed by the accused.

(K.K. SONAWANE, J)

(S.S. SHINDE, J)