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

CRIMINAL APPLICATION NO. 1447 OF 2016

**BALIRAM S/O. RAMCHANDRA PATIL
VERSUS
ASHOK S/O. PUNDALIK PATIL**

**...
Advocate for Applicants : Waramaa B.R.**

**...
CORAM : V.L.ACHLIYA,J.
DATE : 29/03/2017**

PER COURT :-

Heard learned counsel for the applicant and perused the impugned order as well as the record and proceedings of the trial Court.

2] It appears that after the order of issue process passed by the trial Court, the applicant has taken steps to serve the respondent through process of Court as well as by RPAD. Notice sent to the accused returned unserved. For want of taking steps to serve the respondent, the complaint came to be dismissed and accused have been acquitted.

3] Upon considering the submissions, I am of the view that case is made out to entertain the appeal. I am therefore inclined to allow

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the application seeking leave to file appeal.

4] Application is allowed in terms of prayer clause "A". Appeal be registered and place for admission on **5/4/2017**.

(V.L.ACHLIYA,J.)

umg/