

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

CRIMINAL APPLICATION NO. 6211 OF 2016

The State of Maharashtra

.. Applicant

Versus

Kamlesh @ Sonya Prakash Sonar
and ors.

.. Respondents

Mr M.M. Nerlikar, A.P.P. for applicant
Ms. Ghanekar, Advocate h/f Mr N.S. Ghanekar, Advocate for
respondents no.1 and 2

- WITH -

CRIMINAL APPLICATION NO. 3482 OF 2017

- WITH -

CRIMINAL APPEAL NO. 571 OF 2016

Ratnaprabha w/o Mithu Wagh

.. Applicant

Versus

Kamlesh @ Sonya Prakash Sonar
and ors.

.. Respondents

Mrs Monica Dahat Advocate h/f Mrs Chaitali Kutti Choudhari, Advocate
for applicant/appellant
Ms Ghanekar, Advocate h/f Mr N.S. Ghanekar, Advocate for
respondents no.1 and 2
Mr M.M. Nerlikar, Advocate for respondent no.3

**CORAM : S.S. SHINDE AND
A.M. DHAVAL, JJ**

DATE : 7th September 2017

PER COURT

1. Heard learned A.P.P. for applicant in Criminal Application no. 6211 of 2016, Mrs Monica Dahat, Advocate holding for Mrs Chaitali Kutti Choudhari, Advocate for applicant/appellant in Criminal Application no.3482 of 2017 and Criminal Appeal no.571 of 2016, Ms Ghanekar, Advocate for respondents no.1 and 2 and learned A.P.P. for respondent no.3.

2. We have carefully perused the findings recorded by the trial Court and also notes of evidence. Prima facie, it appears that evidence of prosecution witnesses and in particular P.W.9, P.W.10 and P.W.11 is not properly appreciated by the trial Court. In that view of the matter, applications seeking leave to file appeals deserve to be allowed and accordingly allowed.

3. Appeals admitted. On admission, learned Counsel and learned A.P.P. waive service of notice for the respective parties.

4. Action under Section 390 of Cr.P.C. To follow against the respondents before the Sessions Court, Jalgaon.

5. Criminal Applications stand disposed of.

(A.M. DHAVAL, J.)

(S.S. SHINDE, J.)

vvr