

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.100 OF 2014

THE STATE OF MAHARASHTRA)...APPLICANT

V/s.

RAMU MUKUNDA KUSALKAR & ORS.)...RESPONDENTS

Ms.P.N.Dabholkar, APP for the Applicant - State.

CORAM : A. M. BADAR, J.

DATE : 14th AUGUST 2017

P.C. :

1 This is an application by the State for leave to appeal. Notice to respondents came to be issued on 8 January 2015 and since then, the applicant / State is unable to serve respondents herein. The application is of the year 2014. In the year 2014 itself, it appears that notices issued to respondents returned back with an endorsement that respondents were not found at the given address. On 20 July 2015, this court had granted time to the learned APP to take necessary steps for effecting service on respondents and the application was adjourned. Thereafter also, no steps were taken to serve the respondents. Even on 22 March 2016, on behalf of the applicant / State time was sought for furnishing fresh address of respondents. Nothing was done

thereafter. On 18 April 2016 again time was sought with the same request and it was granted by this court. Still, no action was taken to furnish fresh address of respondents by the applicant / State. On 24 June 2016 also, on behalf of the applicant / State time was sought for effecting service on respondents by taking necessary steps. Office endorsement shows that thereafter also, the applicant / State has not furnished fresh and correct address of respondents. It is, thus, seen that, the applicant / State is not interested in prosecuting this application, as no steps are being taken by it for effecting service on respondents from the year 2014.

2 Hence, as a last chance, one week time is granted to the applicant / State to furnish fresh and correct address of respondents and for taking steps for effecting service on respondents, failing which, the application shall stand rejected, without reference to the court.

Stand over to **21 August 2017.**

(A. M. BADAR, J.)