

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.69 OF 2015
IN
CRIMINAL APPEAL NO.**

The State of Maharashtra)...Applicant

V/s.

**Mr. Hanmant Narayan Manjatkar
& Ors.)...Respondents**

Ms. A.A.Takalkar, APP for the Applicant-State.

CORAM : A. M. BADAR, J.

DATE : 16th JANUARY 2017.

P.C. :

By this application, the State is seeking leave to challenge the judgment and order dated 17.3.2015 passed by the learned J.M.F.C. Court No.5, Pandharpur thereby acquitting respondents-accused of the offences punishable under Sections 324, 323, 504, 506 read with Section 34 of the IPC.

2 Heard learned APP appearing for the State. By taking me through the evidence of injured informant Dattatray Indapurkar as well as that of P.W.4 Dr. Raka, the learned APP argued that prosecution had proved alleged offence and version of

the injured informant is duly corroborated by medical evidence on record.

3 Prima-facie, it appears that while acquitting Respondents, view taken by the learned Trial Court is not plausible view born from the evidence on record. Hence, the order:

- (1) Application is allowed. Leave granted.
 Application be treated as an appeal.
- (2) Admit.
- (3) Issue notice to the Respondents.
- (4) Call for Records & Proceedings.
- (5) In the meanwhile, action under Section
 390 of Cr.P.C.

(A. M. BADAR, J.)