

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO.820 OF 2012

Shivaji Kondiba Gaikwad & Anr. ...Appellants

Versus

The State of Maharashtra ...Respondent

.....

Mr. Rajesh S. Jadhav for the Appellants.

Mr. Prashant Jadhav, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 13th NOVEMBER, 2017.

P.C.:-

Mr. Rajesh S. Jadhav, the learned counsel for the Appellants submits that the Appellant No.2 has expired. He has placed on record copy of the death certificate, which is taken on record and marked 'x' for identification. He has further submitted that the fine amount has already been paid and the legal Representatives of the Appellant No.2 do not wish to proceed with the matter. He further submits that Appellant No.1 has already undergone the sentence and he does not want to proceed with the appeal. He therefore, under instructions seeks leave to withdraw the Appeal.

2. In view of the above, the Appeal is dismissed as abated as

against the Appellant No.2 and the Appeal is dismissed as withdrawn
as against the Appellant No.1.

(ANUJA PRABHUDESSAI, J.)