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Apeal-326-2017 (sr.16)
6 June, 2017

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 326 OF 2017

Shri. Sakharam Narayan PednekarAppellant
V/s.

The State of Maharashtra
(Rajapur Police Station)Respondent

Mr. Nihar S. Ghag, Advocate for the Appellant.

Mrs. G.P. Mulekar, APP for Respondent, State.

CORAM :- SMT. V.K. TAHILRAMANI, J &

SANDEEP K. SHINDE, J.

DATE : 6 June, 2017.

P.C. :-

1). Heard both sides.

2). The Appellant has preferred this Appeal against the judgment and order dated 6 November, 2015 passed by the Learned Sessions Judge, Ratnagiri in Sessions Case No. 36 of 2014. By the said judgment and order, the Appellant was convicted under Section

302 Indian Penal Code. Being aggrieved thereby, this Appeal has been preferred. This Appeal is preferred by Advocate Mr. Nihar Ghag.

3). The record shows that, prior to this appeal being filed, against the very same judgment and order, the Appellant has preferred Criminal Appeal No. 184 of 2016 through jail. The said Appeal has been admitted by this Court by order dated 7 March, 2016. Thus, two Appeals cannot be filed against the very said judgment and order. Hence, one Appeal would have to go.

5). Learned Counsel Mr. Nihar Ghag, states that he has taken instructions from the Appellant and he has been instructed to go on with Criminal Appeal No. 184 of 2016 in which he has been instructed to file Vakalatnama. He states that, he will file Vakalatnama in the said matter within a period of 4 weeks from today. In this view of the matter, the present Appeal is disposed off as infructuous.

(SMT. V.K. TAHILRAMANI, J)

(SANDEEP K. SHINDE, J)