

nsc.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1093 OF 2011**

The State of Maharashtra	...Appellant
Versus	
Harishankar Mataprasad Kashyap	...Respondent

Mr. H. J. Dedia, A.P.P for the Appellant-State

None for the Respondent.

**CORAM : SMT.V.K.TAHILRAMANI &
REVATI MOHITE DERE, JJ.**

DATE : 2nd MARCH, 2017

P.C. :

1. This appeal against acquittal preferred by the State was admitted on 12th August, 2011 and it was directed that action be taken under Section 390 of Code of Criminal Procedure. Non-Bailable Warrant came to be issued against the respondent-accused, however, till 31st January, 2017, the respondent-accused has not been traced. Hence, as a last chance, by order dated 31st January, 2017 this Court had granted four weeks' time to the appellant to serve the non-

bailable warrant on the respondent-accused. It was further observed in the order dated 31st January, 2017 that if the same is not done within a period of four weeks, this appeal will stand dismissed for default. However, four weeks time has elapsed, however, yet the respondent-accused has not been served. Hence, the appeal is dismissed.

(REVATI MOHITE DERE, J.)

(V.K.TAHILRAMANI, J.)