

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPP) NO.249 OF 2014
IN
CRIMINAL APPLICATION (APPA) NMO.163 OF 2014
IN
CRIMINAL APPEAL NO.419 OF 2009

Baban s/o Kisan Ingle

..VS..

State of Mah., thr. Police Station Officer, Buldhana, District Buldhana

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri S.A. Sahu, Adv. h/f Shri M.I. Dhatriak, Counsel for the applicant.
Shri R.S. Nayak, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.
DATED : JULY 3, 2017.

Heard Advocate Shri S.A. Sahu h/f learned counsel
Shri M.I. Dhatriak for the applicant and learned Additional
Public Prosecutor Shri R.S. Nayak for the State.

The applicant, in these two applications, is widow
of appellant Baban Kisan Ingle who expired on 17.8.2013.

Appellant Baban Kisan Ingle was convicted by
learned Additional Sessions Judge, Buldhana in Special Anti
Corruption Case No.1 of 2001 on 10.8.2009. He preferred an
appeal before this Court challenging his conviction. The appeal
was admitted on 29.8.2009.

During the pendency of the present appeal,

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appellant Baban expired. However, since the sentence was for jail sentence, the cause survives in favour of the present applicant who is the widow of the present appellant. There is a delay of 166 days in moving application to continue the appeal under Section 374 of the Code of Criminal Procedure.

Though learned Additional Public Prosecutor Shri R.S. Nayak for the State opposes the application, for the reasons stated in both applications, applications are allowed.

Delay in moving application for continuation of appeal is condoned.

Applicant Smt. Laxmi wd/o Baban Ingle is permitted to continue the appeal filed on behalf of her husband Baban challenging his conviction under the relevant provisions of the Prevention of the Corruption Act.

Both applications stand allowed and disposed of.

The applicant to take necessary steps for amending the cause title of the appeal.

JUDGE

!! BRW !!

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