

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 57 OF 2017**

The State of Maharashtra

.....Applicant

Vs.

Ravindra Uttam Kamble & Ors.

....Respondents.

Ms. M.M. Deshmukh, APP for the Applicant-State.
None for the Respondents.

CORAM : S.S. SHINDE AND

A. S. GADKARI, JJ.

DATE : 22nd OCTOBER, 2018.

P.C.:-

Heard Ms. Deshmukh, the learned APP appearing for the
Appliant-State.

2 Though the appearance of Mr. Ambulkar, the learned
Advocate was shown for the Respondent No.1 when the Application
for condonation of delay was considered, none appeared for the
Respondents today.

3 With the assistance of the learned APP, we have carefully
perused the notes of evidence and in particular, evidence of PW 3-Mr.
Tanaji Trimbak Kamble.

4 *Prima facie*, the findings recorded by the Trial Court do not

appear to be in consonance with the evidence on record so far the present Respondents are concerned. In that view of the matter, the case is established for allowing this Application for seeking leave to Appeal.

5 Application is allowed and the same is accordingly disposed off.

6 The action under Section 390 of the Code of Criminal Procedure to follow before the Sessions Court at Kolhapur.

7 The Registry to register the Appeal.

(A.S. GADKARI, J.)

(S.S. SHINDE,J.)