

BGP.

Brijesh Singh @ Arun Kumar @ Anr. in Criminal Appeal No.358 of 2014.

2] However, the said contention is considered by the learned Single Judge of this Court (A. M. Khanwilkar, J as His Lordship then was) and after considering the judgment of the Apex Court in the case of **State of Maharashtra Vs. Bharat Chaganlal Raghani & Ors.** reported in **(2001) 9 SCC 1**, rejected the same. The learned Single Judge has given elaborate reasons for rejecting the contention which was raised by the learned counsel for the Appellant in the said case.

3] We are in respectful agreement with a view taken by the learned Single Judge of this Court. In that view of the matter, no merit is found in the Appeal. The Appeal is rejected.

4] In view of disposal of Appeal, nothing survives in the application. The same is disposed of as such.

[SARANG V. KOTWAL, J.]

[B. R. GAVAI, J.]