

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.469 OF 2013
(For Leave to Appeal - Private)**

Shri.K.P.Gopal Krishna Nair Through
Power of Attorney Murli Arvind Menon ... **Applicant**
V/s.
Mr.Murlidhar Bhagwan Kamthe & Anr. ... **Respondents**

.....
Ms.Sandhya A. Mailagin i/b. Mr.Anil D. Joshi, Advocate for the
Applicant.
Mr.Sachin S. Punde, Advocate for the Respondent No.1.
Mr.S.V.Gavand, APP for the Respondent/State.
....

CORAM : A.M.BADAR J.

DATED : 4th JULY 2018.

P.C. :

1 Heard.

2 Perused the impugned Judgment and Order of
acquittal recorded by the learned Additional Sessions Judge,
Thane thereby upsetting the Judgment of conviction and resultant
sentence. Case for consideration is made out and, therefore, the
Order :

ORDER

(i) Leave, as prayed, is granted.

- (ii) Memo of application for leave to appeal be considered as Memo of Appeal on effecting necessary amendment. Leave to amend to that effect is granted.
- (iii) Admit.
- (iv) Issue notice to respondents.
- (v) The learned Additional Public Prosecutor waives notice for the respondent/State.
- (vi) Call for Record and Proceedings.
- (vii) In the meanwhile, action under Section 390 of the Criminal Procedure Code before the learned trial Court.

(A.M.BADAR J.)