

Vidya Amin.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 146 OF 2017

The State of Maharashtra ... Applicant
vs.
Mahesh Ram Tangadpalli & Anr. ... Respondents

Mrs. M.H. Mhatre, APP for the applicant-State.
Mr. Sharad A. Ghadge, Advocate for respondent nos. 1 and 2.

**CORAM: Mr.S.S. SHINDE &
Mrs.MRIDULA BHATKAR, JJ..
DATED: 4th October, 2018**

P.C. :

1. Heard the learned APP appearing for the applicant and the learned counsel appearing for the respondents.
2. We have carefully perused the Notes of evidence so as to find out whether the finding recorded/reasons assigned by the trial Court so as to convict the respondents under section 304 Part-II, are perverse or otherwise. Upon careful perusal of the evidence of eye witnesses coupled with the medical evidence, in our prima facie opinion, the intention of the accused persons was to cause grievous injuries to the deceased Jayant. The accused persons came prepared holding in their hands iron rods and also sticks. As a result of assault by the accused, deceased Jayant Murakar

suffered multiple injuries. The assault was on vital parts of the body including on head. In that view of the matter, the case is established to allow the Application seeking leave to appeal.

3. Accordingly, the Application is partly allowed in terms of prayer clause (a) and same stands disposed of.

4. Registry to register the Appeal.

5. On registration of Appeal, "Admit". Advocate Mr. Ghadge waives service of notice on admission of appeal.

(MRIDULA BHATKAR, J.)

(S.S. SHINDE, J.)