

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO. 23/2018

(MAMTA CHAITMAL BOKADE VERSUS SUDHIR SITARAM KOHAD & ANOTHER)

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

Court's or Judge's orders

Shri D.V. Mahajan, counsel for the applicant.

**CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : APRIL 12, 2018.

By this criminal application, the applicant seeks leave to file the appeal.

We find that the daughter of the applicant was married to the accused and it appears that after the murder of the daughter of the applicant was committed, the parts of her dead body were cut into several pieces and were thrown in different parts of the village. It appears that though a couple of prosecution witnesses have clearly stated that the applicant's daughter was lastly seen with her husband-accused, the trial Court has not given any weightage to their evidence. Though one of the panch witnesses had also supported the case of the prosecution in respect of recovery of the saw at the instance of the accused, the trial Court appears to have disbelieved the evidence pertaining to discovery as according to the trial Court, the evidence of the Investigating Officer has not been supported by the panch witnesses. After perusal of the judgment of the trial Court and the evidence of the prosecution witnesses, in our view leave needs to be granted to the applicant to file the appeal.

Hence, we grant leave to the applicant to file the appeal.

CRIMINAL APPEAL NO. _____/2018.

Heard.

ADMIT.

Call for Record & Proceedings.

Learned Additional Public Prosecutor Shri V.P. Maldhure waives notice of hearing on behalf of the respondent no.2.

Steps under Section 390 of the Code of Criminal Procedure should be initiated.

JUDGE

JUDGE

APTE