

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CRIMINAL APPLICATION (APL) NO.361 OF 2018

(Mr. Sushilkumar s/o Shankarlal Koloya ..vs.. The State of Maharashtra, through PSO, PS Wardha)

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

Court's or Judge's orders

Shri R.R. Vyas, Counsel for the applicant,
Shri S.S. Doifode, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 05-06-2018

The learned Counsel appearing on behalf of the applicant-appellant Shri R.R. Vyas states that all that the applicant intends is to place on record of the appellate Court a copy of the plaint in Regular Civil Suit 70/2012 and that the applicant-appellant undertakes not to cause any delay in hearing of the appeal by moving an application for permission to adduce additional evidence etc.

2. The submission is that the filing of the civil suit may be relevant in determining the sentence, if the appeal is ultimately dismissed and the conviction is upheld.

3. The learned Additional Public Prosecutor Shri S.S. Doifode has no serious objection if the applicant-appellant is permitted to only place the copy of the plaint on record.

4. Without intending to make any observation on the merits of the submission that the institution of the civil suit may be relevant, in view of the limited request made, the application is partly allowed.

5. The applicant is permitted to place a copy of the plaint in Regular Civil Suit 70/2012 on record of the appellate Court.

6. The appellant Court is requested to decide the appeal expeditiously and in any event within six months.

JUDGE

adgokar