

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

**CRIMINAL APPLICATION (APPA) NO.636/2018**

The State of Maharashtra through PSO P.S. Koradi, Nagpur .vs. Ajay  
Shivcharan Bais

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

Court's or Judge's orders.

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Mrs. S. V. Kolhe, A.P.P. for applicant.  
Mr. A. R. Fule, Advocate for non applicant.

**CORAM : V.M. DESHPANDE, J.**  
**DATED : DECEMBER 4, 2018**

By the present application, the applicant-State is seeking leave to file appeal challenging the judgment and order of acquittal passed by Judicial Magistrate First Class, Court No.6, Nagpur in Criminal Complaint Case No.4457/2011, by which the Court below has acquitted the respondent of the offence punishable under Sections 279, 337 and 338 of the Indian Penal Code and under Section 184 of the Motor Vehicles Act.

After hearing the learned counsel for the parties and after perusing the evidence of the injured Sagar, I am of the view that second thought is necessary in the present matter. Hence, the application is allowed. Leave is granted to the applicant-State to file the appeal.

**Criminal Appeal No. \_\_\_\_\_/2018**

Heard Mrs. Kolhe, learned A.P.P. for the appellant-State.

**ADMIT.** Call for the record and proceedings.

Mr. Fule, Advocate waives notice for the respondent.

Prayer made by learned A.P.P. for taking action under Section 390 of the Cr.P.C. is rejected.

**JUDGE**

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