

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO.1087/2017

IN

CRIMINAL APPEAL NO. /2017

Diwakar Vishwanth Sable and another

..Vs..

Sanjay S/o Krushnarao Shelke and others

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

Court's or Judge's orders

Shri P.V. Navlani, Advocate for the applicants / appellants.
Ms. Deepali Sapkal, Advocate for the respondent Nos.1, 5 and 6.

CORAM : Z.A. HAQ, J.

DATE : 26.10.2018.

The learned Advocate for the non-applicant / respondent Nos.1, 5 and 6 submits that the record and proceedings will be necessary to consider the prayer made on behalf of the applicants for grant of leave to file appeal. The record and proceedings were called by this Court, however, they are sent to the Court of Civil Judge where Special Civil Suit No.25/1998 filed by the present applicants is pending. The learned Advocates for the parties submit that the Special Civil Suit No.25/1998 is filed by the applicants seeking decree for declaration that the certificate of marriage between the applicant No.2 and non-applicant No.1 is null and void.

The dispute is that the applicants claim that the applicant No.2 was kidnapped and on the basis of forged documents a claim was made by the non-applicants that marriage is solemnized between the applicant No.2 and non-applicant No.1. It is submitted

that the applicant No.2 is married and is presently residing in United States of America. It is further submitted that the non-applicant No.1 has filed a criminal complaint against the applicant No.2 for bigamy.

In the facts of the case, following order is passed:

The applicants are granted leave to file and prosecute the appeal to challenge the judgment passed by the Sessions Court in Sessions Trial No.152/1998 and Sessions Trial No.148/2009.

CRIMINAL APPEAL NO. _____/2017

Taken up for hearing on admission.

ADMIT.

Ms. Deepali Sapkal, Advocate waives notice for the respondent Nos.1, 5 and 6.

Shri H.D. Dubey, A.P.P. waives notice for the respondent No.7.

The appellants to file private paper book.

List the appeal for hearing after the Special Civil Suit No.25/1998 is decided.

JUDGE