

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1188 OF 2019

IN

CRIMINAL APPEAL NO.401 OF 2019

MINU YUSUF PATEL

)...APPLICANT

V/s.

SHABAN GULAMALI THANAWALA & ORS.)...RESPONDENTS

Ms.Nasreen Ayubi, Advocate for the Applicant.

Mrs.M.M.Deshmukh, APP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE: 30th JULY 2019

P.C. :

1 This is an application by respondent no.2 for dismissing the appeal as the appellant has not produced on record full text of deposition of Prosecution Witness No.18. The application, as framed and filed, is not maintainable. Criminal appeals are to be decided on the basis of record and proceedings.

There is no mandatory provision that the appellant should file full text of copies of deposition of prosecution witnesses, in order to make his appeal maintainable, particularly in the light of the fact that this is an appeal by victim.

The application is, therefore, rejected.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)