

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION (ALP) NO. 396 OF 2017**

Ravikiran Ramkrushna Bhagwat ... Applicant

V/s.

Durgaprasad Arun Bhagwat and Ors. ... Respondents

**WITH
CRIMINAL APPLICATION (ALP) NO. 337 OF 2017**

Vasant Tukaram Bhadugale ... Applicant

V/s.

Vilas Baban Gharat and Ors. ... Respondents

Mr. J.P. Kharge for the applicant.

Mr. Karan P Chavhan for the respondent nos. 1 and 2 in ALP/337/2017.

Mr. Y.M. Nakhwa-APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J

DATED : 10th OCTOBER, 2019.

P.C. :

1. Heard the learned counsel for the applicants and the learned counsel for the respondents.
2. Perused the evidence on record.
3. The learned Court in Paragraph 11 has stated that there is non compliance of Section 154 (3) of the Code of Criminal Procedure. In fact, the complainant has stated in the Examination-in-Chief that

they had approached the police station. However, the police had asked them to file a private complaint. The reasons assigned for acquittal are not justifiable. Hence, the applications are allowed and disposed of accordingly.

4. Appeal is admitted.
5. Action under section 390 of Code of Criminal Procedure be initiated.
6. The respondents shall appear before the Judicial Magistrate First Class, Karjat within four weeks from today and the Judicial Magistrate First Class, Karjat shall release them on bail on furnishing PR. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand Only), each.
7. The respondents shall further continue to appear before the Court of Judicial Magistrate First Class, Karjat once in six months on the date assigned by the Judicial Magistrate First Class, Karjat.
8. Upon failure to attend any two consecutive dates, the Judicial Magistrate First Class, Karjat shall make report to the High Court and the prosecution would be at liberty to seek cancellation of bail.

(SMT. SADHANA S. JADHAV, J)