

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

CRIMINAL APPLICATION (APPA) NO.191 OF 2019

IN

CRIMINAL APPEAL NO. OF 2019

(Mustafa Yusufbhai Bohra ..vs.. The State of Maharashtra, through its Dy. Supdt. Of Police, ACB,
Chandrapur and another)

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

Court's or Judge's orders

Shri A.S. Dhore, Counsel for the applicant,
Shri T.A. Mirza, Addl.P.P. for respondent 1,
Shri Ananthakrishnan, Counsel for respondent 2.

CORAM : ROHIT B. DEO, J.

DATED : 29-07-2019

The Special Judge has acquitted the accused on the ground that the Sub-Divisional Officer is not competent authority to accord sanction under Section 19 of the Prevention of Corruption Act.

2. Shri Ananthakrishnan, learned Counsel for the accused is seeking two weeks time to file affidavit-in-response.

3. However, in my opinion, it would not be necessary to take on record the affidavit-in-response of the accused at this stage. An arguable case is made out for grant of leave.

4. Criminal Application 191/2019 is allowed.

5. The appeal be registered.

Criminal Appeal of 2019.

Heard.

2. **Admit.**

3. Shri Ananthakrishnan, learned Counsel waives service on behalf of respondent 2-accused.

4. Call record and proceedings.

5. The registry shall ensure that the record and proceedings is received within ten days.

6. List the appeal for final hearing on 14-8-2019 at serial 1.

JUDGE

adgokar