

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

CRIMINAL APPLICATION (APPA) NO. 836/2018

IN
CRIMINAL APPEAL NO. _____ / 2019

State

..VS..

Sheikh Rafiq @ Pappu Sheikh Latif & ors.

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

Court's or Judge's orders

Shri S.J. Kadu, APP for the applicant/appellant
Shri P.W. Mirza, Advocate for the non-applicant/respondents

CORAM : Z.A.HAQ & PUSHPA V. GANEDIWALA, JJ.
DATED : 23/09/2019

The applicant/appellant (State) has filed appeal to challenge the judgment passed by the Sessions Court acquitting the accused of the charge of commission of offences punishable under Sections 143, 147, 148, 302 r/w Section 149 of the Indian Penal Code and Section 4 r/w Section 25 of the Indian Arms Act.

The learned APP has invited our attention to the evidence of P.W. 1 and P.W. 3 who have witnessed the incident.

The learned advocate for the accused argued that the witnesses on whom the prosecution relies to prove its case are all members of the family of the victim.

After examining the material produced on record, at this stage, we are satisfied that the applicant/appellant

(State) has made out case for grant of leave to file appeal.

Hence, leave granted.

The criminal application is **allowed** accordingly.

CRIMINAL APPEAL NO. _____/2019

ADMIT.

Shri P.W. Mirza, Advocate waives notice for the respondents.

Call R. & P.

Office to initiate action as per Section 390 of the Code of Criminal Procedure.

JUDGE

JUDGE

Ansari