

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPEAL NO.158 OF 2019**

Roshan S/o Channnulal Lilhare
VS.

State of Maharashtra through Police Station Officer, Police Station Gittikhadan, Nagpur

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.H. Sudame, learned counsel for the appellant.
Mrs. S.V. Kolhe, learned APP for the respondent /State.

**CORAM : SUNIL B. SHUKRE AND
MADHAV J. JAMDAR, JJ.**

DATE : 23.01.2020.

Heard learned counsel for the appellant and learned A.P.P. for the respondent/State.

2. For the reasons to be recorded separately, the appeal is allowed.

3. The impugned judgment and order are hereby quashed and set aside.

4. The case is remanded back to the Court of learned Sessions Judge, Nagpur for re-trial and deciding afresh as per Section 386 (b) of the Criminal Procedure Code from the stage of recording additional statement of the appellant/accused under Section 313 Criminal Procedure Code in the light what is observed in the judgment.

JUDGE

JUDGE