

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

CRIMINAL APPLICATION (APPA) NO. 930/2019

IN
CRIMINAL APPEAL NO. 788/2019

Abdul Aziz Lalmiya Deshmukh,
..VS..

The State of Maharashtra, Through P.S.O., Borgaon Manju, District Akola.

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

Court's or Judge's orders

Shri A. V. Band, Advocate for the applicant,
Ms S. V. Kolhe, APP for the respondent.

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

DATED : 22nd January, 2020

Heard learned counsel for the applicant and
learned APP for the State.

Perused the impugned judgment and order
and the evidence available on record. The evidence of
P.W.2, the victim of crime, P.W.1, the mother of victim of
crime and P.W.5 the Medical Officer who medically
examined the victim of the crime, in particular, in our
opinion *prima facie* support the findings recorded in this
case by the learned Additional Sessions Judge / Special
Court. Of course there is a delay of one day in lodging
the report. But, there are facts and circumstances
brought on record, which *prima facie* do not support the

case of the applicant. Therefore, we are not inclined to allow this application. The application stands rejected.

Final hearing of the appeal is expedited. Paper Book be prepared within four weeks from the date of the order.

Stand over to **27.02.2020** for final hearing.

JUDGE

JUDGE

Kirtak