

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 655 / 2021
IN
APPEAL NO. 1422 OF 2018**

Santosh Ramsagar Kanojia

.....Applicant

V/s.

The State of Maharashtra

....Respondent

* * * *

Mr. Aashay B. Topiwala , Advocate for Original Accused no.1
in IA-655-2021.

Mr. Ateet Shirodkar, Advocate for the appellant in Appeal No.
1422-2018.

Mrs. Sharmila Kaushik, APP for State.

CORAM : SANDEEP K. SHINDE, J.

Friday, 26th February, 2021.

P.C. :

1. Criminal Appeal No. 1422 of 2018 against conviction
is preferred jointly by two appellants, who were represented by
Advocate Mr. Ateet Shirodkar. Appeal has been admitted on
4th December, 2018. This application is preferred by the

appellant no.2, praying for separating the Appeal and leave to appoint Advocate to represent him.

2. In terms of Practice Note No.53 dated 2nd April, 2018, two Advocates cannot represent two accused separately in a joint Appeal, unless an application for separating the Appeal is made. As such, in consideration of the averments in the application, appeal of appellant-Santosh Ramsagar Kanojia is separated with liberty to file Appeal Memo. If Appeal Memo by Santosh Kanojia is filed, it shall be registered and numbered but shall not be placed for admission again, since the joint Appeal has been admitted by this Court on 4th December, 2018.

3. Consequential amendments in Appeal No. 1422/2018 shall be carried out within two weeks from today.

4. If separate appeal is filed, the Registry shall take on record, appearance of the Advocate representing Santosh Ramsagar Kanojia.

4. Needless to say that, Appeal No. 1422/2018 and the Appeal preferred by Santosh Ramsagar Kanojia, shall be heard together.

5. Application is allowed and disposed of.

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S.
Sawant

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(Sandeep K. Shinde, J.)