

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

**CRIMINAL APPLICATION NO.34 OF 2018
(for leave to file an appeal)**

The State of Maharashtra Applicant
Versus
Dnyaneshwar Nivrutti Avhad
and two others. Respondents

Ms. S.V. Sonawane, APP for the Applicant/Appellant-State.

CORAM :SARANG V. KOTWAL, J.

DATE : 6th SEPTEMBER, 2021

P.C. :

1. Heard learned A.P.P. for the applicant-State.
2. Perused the impugned judgment and order and in particular the reasoning given in paragraphs No.16 to 18. I have also perused the deposition of PW-1. The finding regarding identification of accused and recovery of articles needs to be examined. The matter requires consideration.

Hence, the following order :

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by
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:: O R D E R ::

- i. Leave to appeal is granted. Appeal be registered and numbered.
- ii. Appeal is admitted.
- iii. Call for R & P.
- iv. Action under Section 390 of Cr.P.C. be taken.

(SARANG V. KOTWAL, J.)

Deshmane (PS)