

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 832 OF 2021
IN
CRIMINAL APPEAL NO. 442 OF 2005

Pundalik Chandar Onkare deceased

Through Legal Heirs

Mangal Pundalik Onkare and Ors.

...Applicants

Versus

State of Maharashtra

...Respondent

Mr. Nagesh Y. Chavan for the Applicant.

Mr. S.V.Gavand, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 9th MARCH, 2021

P.C. :

1. Perused the application. By this application, the applicant seeks the following substantive prayers.

‘(a) This Hon’ble Court be pleased to grant leave to the applicants to bring on record the present applicants as heirs and legal representatives of the sole appellant namely Pundalik Chandar Onkare and permit the applicants to amend the cause title of the Criminal Appeal No.442 of 2005 accordingly;

(b) Such other orders and reliefs be granted in favour of the

applicants.’

2. Perused the papers. This application is preferred by legal heirs of Pundalik Chandar Onkare, the sole appellant who has challenged the judgment and order dated 05/04/2005 passed by the Special Judge, Pune in Special Case No. 6 of 2003, convicting him for the offences punishable under Section 13(1)(d) of the Prevention of Corruption Act and sentencing him to suffer rigorous imprisonment for two years and to pay fine of Rs.3000/-, in default, to suffer further rigorous imprisonment for six months.

3. The aforesaid appeal was admitted by this Court on 02/05/2005. The appellant's sentence was also suspended, pending the hearing and final disposal of the aforesaid appeal. The appellant expired on 19/09/2020, leaving behind the applicants as his heirs and legal representatives.

4. Considering that the applicants are legal heirs of the original appellant, the application is allowed. Learned Counsel for the sole appellant is permitted to amend the cause title of Criminal Appeal No.442 of 2005 substituting the names of the applicants as appellants.

5. Application is accordingly disposed of on the aforesaid terms.
6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.