

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO. 832 OF 2017
IN CRIMINAL APPEAL NO. _____ OF 2018

(Satyabhama wd/o Ramprasad Nakashe vs. Mr. Bhushan Govind Ramteke & Ors.)

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

Court's or Judge's orders.

Shri C.B. Barve, Advocate for the applicant -
appellant

Shri P.S. Wathore, Advocate for non-applicant –
respondent Nos. 1 to 8.

Shri N.R. Rode, APP for non-applicant – respondent
No. 9.

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CORAM : PUSHPA V. GANEDIWALA, J.
JANUARY 28, 2021.

Heard Shri Barve, learned counsel for the
applicant – appellant, Shri Wathore, learned counsel
for non-applicant – respondent Nos. 1 to 8 and Shri
N.R. Rode, learned APP for the non-applicant –
respondent No. 9.

2. In this application, the appellant –
mother of the deceased sought leave under proviso to
Section 372 of the Criminal Procedure Code to prefer
appeal against acquittal of the respondents/ accused
for the offence punishable under Section 306 read
with Section 34 of the Indian Penal Code.

3. Considering the judgment of the Hon'ble Supreme Court in the case of Mallikarjun Kodagali vs. State of Karnataka & Ors., reported at (2019) 2 SCC 752, wherein it is held that it is a substantial right of the victim for exercising this right, no leave is required to be sought. In this view of the matter, Criminal Application stands disposed of.

4. S.O. four weeks for admission.

JUDGE

*GS.