

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 833 OF 2022
AND
CRIMINAL APPLICATION NO.834 OF 2022
AND
CRIMINAL APPLICATION NO. 835 OF 2022**

Kashinath Tukaram Shinde ... Applicant
Versus
State of Maharashtra ... Respondent

....
Ms Rashmi S. Kulkarni, Advocate for applicant
Mr. S. P. Sonpawale, APP for respondent - State
....

CORAM : R. G. AVACHAT, J.

DATED : 03rd MARCH, 2022

PER COURT :-

. Heard.

2. Issue notice to the respondent. Learned APP waives for the respondent – State.

3. The challenge in all these three applications is to the orders passed below Exh.1 in Criminal Appeal Nos.10/2016, 11/2016 and 12/2016, pending on the file of the learned Additional Sessions Judge, Osmanabad. The orders impugned herein disclose that the applicant herein who is the appellant (convict) in those

appeals, was present before the Court. His Advocate was, however, not present to work out the appeals. The appellate Court, therefore, took the applicant herein into custody and remanded him in M.C.R.

4. From the orders impugned, it is not evident as to whether execution of substantive sentence of imprisonment has been recalled by the appellate Court. Be that as it may.

5. The learned Advocate for the applicant herein comes around to submit that the appeals may be worked out within next three months if no unavoidable difficulty arises.

6. In view of the same, all the three applications are allowed in terms of prayer clause (A).

[R. G. AVACHAT, J.]

SMS