

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 CRIMINAL APPLICATION NO.2303 OF 2022
IN APPEAL/1157/2019

RAVINDRA MURLIDHAR SAPKALE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. D.S. Ingole, Advocate h/f Mr. N.S. Ghanekar, Advocate for the applicant

Mr. A.M. Phule, APP for the sole respondent

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CORAM : SMT. VIBHA KANKANWADI AND
RAJESH S. PATIL, JJ.

DATE : 23rd AUGUST, 2022

PER COURT :

1 By this application, the applicant is informing that the appellant Nos.1 and 2 in Criminal Appeal No.1157 of 2019 have expired. Their death certificates have been produced on record. Appellant Murlidhar Mansaram Sapkale expired on 01.08.2021 and appellant Shantaram Murlidhar Sapkale expired on 26.08.2021. In view of this position the appeal stands abated as against appellant Nos.1 and 2 in Criminal Appeal No.1157 of 2019 as well as they were the respondent Nos.1 and 2 in Criminal Appeal No.26 of 2021 which is filed by the State.

2 Present application is filed by only one applicant who is appellant No.3 in Criminal Appeal No.1157 of 2019 and he has stated that the said appeal be expedited and may be fixed for final hearing. When, in fact, that appeal has to be heard along with Criminal Appeal No.26 of 2021, for which leave was granted by this Court to challenge the acquittal of the original accused Nos.4 to 6, then, the final hearing cannot take place only on the application by one of the accused.

3 Secondly, at present, this Court is dealing with final hearing matters of 2015 and the appeal filed by the present appellant is of 2019. Under such circumstance, the applicant should wait. Application stands disposed of.

(Rajesh S. Patil, J.)

(Smt. Vibha Kankanwadi, J.)

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