

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL INTERIM APPLICATION NO.280 OF 2021
AND
CRIMINAL INTERIM APPLICATION NO.281 OF 2021
IN
CRIMINAL APPEAL NO.604 OF 2021
WITH
CRIMINAL APPEAL NO.604 OF 2021.

Sunil Baban Pawar : Applicant/Appellant.
Versus
State of Maharashtra : Respondent.

Mr. Mandar Soman, Advocate appointed for the Applicant/Appellant.
Ms. G. P. Mulekar, APP for the Respondent/State.

CORAM : S. S. SHINDE,
SARANG V. KOTWAL, JJ
DATE : 25th April 2022

P.C.

1 There is office note that the 2nd Respondent is not served. The learned counsel appearing for the Appellant submits that the Appellant may be permitted to serve the 2nd Respondent by private notice.

2 The learned APP appearing for the Respondent/State also assures this Court that the concerned Investigating Officer will serve the 2nd Respondent and to that effect file service report before this Court on before the next date.

3 Leave to serve the 2nd Respondent by private notice is granted to the Appellant. After such private service, the Appellant shall file an affidavit of service before the next date. In addition, the concerned Investigating officer shall ensure that notice is served upon the 2nd Respondent and to that effect send a service report to this Court as also to the learned APP appearing for the Respondent/State before the next date.

4 Keeping in view the fact that, the Appellant is in jail since 2016 and there are only 9 witnesses, we deem it appropriate to set down the Appeal for final hearing on 08/06/2022, however, subject to service of notice upon the 2nd Respondent and convenience of this Court as also time constraints.

5 Since Advocate Mr. Mandar Soman is already appointed to represent the Appellant in this Appeal, the Interim Application No.281 of 2021 filed by the Appellant/Applicant for appointment of an advocate, does not survive and the same stands disposed of accordingly.

[SARANG V. KOTWAL, J]

[S. S. SHINDE , J]