

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 386 OF 2016
(leave to appeal)

Shri. Appa Thakaram Virkar	...	Applicant
V/s.		
The State of Maharashtra and Ors.	...	Respondents

Mr. Vishal Patil for the applicant.

Ms.M.M. Deshmukh - APP for the State.

**CORAM : SMT. SADHANA S. JADHAV &
SARANG V. KOTWAL, JJ.**

DATED : MARCH 4, 2022.

P.C. :

1. The present application seeking leave to appeal is filed by the original complainant in the year 2016. The State of Maharashtra has also filed Criminal Application No. 18 of 2019 seeking leave to appeal, thereby challenging the acquittal of the respondent nos. 2 to 5 under section 302 and 201 read with 34 of Indian Penal Code by the learned Sessions Judge, Vaduj, Satara in Sessions Case No. 41 of 2012 vide judgment and order dated 09.09.2016.

2. The appeal filed by the State is admitted by the Division Bench of this Court vide judgment dated 5th March 2019 and there is a direction to take action under section 390 of the Code of Criminal Procedure.

3. In view of this, the present application deserves to be allowed.

4. Appeal is admitted.

5. The respondent nos. 2 to 5 shall report to the Court of Sessions, Satara once in six months on the date assigned by the learned Sessions Judge, Statara.

6. Upon failure to attend any two consecutive dates, the Sessions Court shall make report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of the bail granted by the Sessions Court, Satara.

7. The application stand disposed of.

(SARANG.V. KOTWAL, J)

(SMT. SADHANA S. JADHAV, J)