

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 618 OF 2012

Kalim Majin Shaikh & Ors.

...Appellants

Versus

The State of Maharashtra

...Respondent

...
Ms. Chandani Chawla i/by. Dr. Yug Mohit Chaudhary for appellant.
Mr. V.B. Konde-Deshmukh, APP for State.

...
**CORAM : S. S. SHINDE &
N. R. BORKAR, JJ.**

DATE : 6th JANUARY, 2022.

P.C.:

1. Learned counsel appearing for the appellant submits that the appellants made prayer before this Court for deletion of name of appellant no. 3 (Rashid Shahad Ali) from the array of appellants, and remaining appellants may be allowed to file a fresh appeal. It is submitted that acceding to the said prayer of the appellants to allow them to delete the name of appellant no. 3 from the cause title and other appellants to file a fresh/separate appeal this Court passed the order on 16th July, 2018. Accordingly, name of appellant no. 3 came to be deleted pursuant to order dated 11th April, 2017 passed by this Court. Remaining appellants have filed separate/fresh appeal bearing Criminal Appeal No. 929/2018. In

view of that, learned counsel for the appellants prays that without entering into the merits the present appeal may be disposed of, in view of filing of Criminal Appeal No. 929/2018.

2. Learned APP appearing for State joins the prayer of learned counsel for the appellant and prays that the present appeal may be disposed of simplicitor by leaving all the contentions raised on merits open to be agitated in Criminal Appeal No. 929/2018.

3. In the light of submissions made across bar by the learned counsel for the appellants and Mr. Konde-Deshmukh, the learned APP for State, we disposed of the present appeal, thereby leaving open all the contentions raised on merits to be agitated and argued in Criminal Appeal No. 929/2018.

4. Needless to observe that the paper book and R & P received in the present appeal be treated as if same is received in Criminal Appeal No. 929/2018, and accordingly the registry to maintain said paper book and R & P in the Criminal Appeal No. 929/2018.

(N. R. BORKAR, J.)

(S. S. SHINDE, J.)