

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

**INTERIM APPLICATION NO.2045 OF 2022  
IN  
CRIMINAL APPEAL NO.419 OF 2013**

Buvanesh C. Naicker & Anr. .... Applicants

versus

State of Maharashtra .... Respondent

**IN THE MATTER BETWEEN :**

Chandrashekhar C. Naicker (now deceased) .... Original  
Appellant

versus

Central Bureau of Investigation, ACB  
and Anr. .... Respondents

.....

- Ms. Sneha M. Jethwa a/w Payoja Gandhi, Advocate for Applicants.
- Mr. Harsh Dedhia i/b. H. S. Venegaonkar, Advocate for CBI/Respondent No.1.
- Smt. M. R. Tidke, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.  
DATE : 16<sup>th</sup> NOVEMBER , 2022**

**P.C. :**

1. This is an application filed by the son and wife of the original Appellant in Criminal Appeal No.419 of 2013 who was convicted by Special CBI Judge, u/s 13(2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988, vide Judgment and Order dated 27/02/2013 in CBI Special Case No.35 of 2002. The

original Appellant passed away on 07/04/2019. The Applicants are his legal heirs. They wish to pursue the Appeal.

2. Learned counsel for the Applicants submitted that to manage and save the property of the original Appellant and also to clear his name from the conviction recorded against him, they wish to pursue the Appeal.
3. Considering these submissions, the application is allowed. The Applicants are permitted to continue with Criminal Appeal No.419 of 2013 in place of the original Appellant under the provisions of section 394 of Cr.P.C.
4. Leave is granted to them to continue with the Appeal. Necessary amendment be made in the title of the original Appeal memo.
5. Application is disposed of.

**(SARANG V. KOTWAL, J.)**