

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2222 OF 2021
IN
CRIMINAL APPEAL NO. 307 OF 2008

Gangaram Mahadu Bharsat ...Applicants
(since deceased through his Legal Heir)
Vimal Bai Gangaram Bharsat and Ors.

Versus

Habibbaig Mogalbaig Mirza and Anr. ...Respondents

....

Mr. Sanjeev Kadam i/b. Ms. Leena Sawant for the
Applicant/Org. Appellant no. 1.

Mr. S. V. Gavand, APP for the State.

CORAM : PRAKASH D. NAIK, J.
DATE : 7th APRIL, 2022

PER COURT:

1. The applicants are seeking permission to pursue the appeal as legal heir of the Appellant Gangaram Mahadu Bharsat [original accused no.1]. The accused no. 1 has expired on 8th May, 2020. He was convicted for offence under Section 12 of Prevention of Corruption Act, 1988,

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2. Applicant no. 1 is the wife of accused nos. 1 and Applicant nos. 2, 3 and 4 are sons and daughter of accused no1.

3. Considering the fact that the original accused no. 1 was convicted under Section 12 of the Prevention of Corruption Act and the applicants are permitted to pursue appeal challenging conviction.

ORDER

- (i) Interim Application No. 2222 of 2021 is allowed.
- (ii) Delay is condoned
- (iii) The Applicants are permitted to pursue Criminal Appeal no. 307 of 2008 on behalf of the original accused no. 1.
- (iv) Requisite amendment may be carried out within two weeks from today.

(PRAKASH D. NAIK, J.)