

Talwalkar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2886 OF 2022
IN
CRIMINAL APPEAL NO. 72 OF 2020**

Rama Kisan Chavan.

... Appellant /
Applicant

Versus

State of Maharashtra

... Respondents

WITH

CRIMINAL APPEAL NO. 72 OF 2020

Anil @ Bala Sakharam Digraskar

... Appellant /
Applicant

Versus

State of Maharashtra

... Respondents

WITH

INTERIM APPLICATION NO. 952 OF 2021

IN

CRIMINAL APPEAL NO. 72 OF 2020

Shekhar Prakash Ahire.

... Appellant /
Applicant

Versus

State of Maharashtra

... Respondents

ARUNA S
TALWALKAR

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Mr. Kunal Pednekar I.b. Mr. Aniket Vagal,
advocate for applicant in IA No. 2886/2022.
Ms. Akshata B. Desai I.b. Mr. Nitin Sejpai,
Advocate for applicant in IA No. 952/2022.
Ms. P.P. Shinde, APP for State.

**CORAM: M.S. SONAK &
S.M. MODAK, JJ.**
DATED : 12th September 2022

P.C.:

1. Heard Mr. Pednekar, Counsel for appellant No.2 Rama Kisan Chavan. Ms. Akshata Desai appears for the appellants in this common appeal challenging the impugned Judgment and Order dated 28/12/2019 passed by the learned Sessions Judge in Sessions Case No. 244 of 2017.
2. Mr. Pendnekar, learned Counsel now request that the appellant No. 2 i.e. Rama Kisan Chavan be permitted to file a separate appeal.
3. Ms. Akshata Desai, learned Counsel for appellants in Criminal Appeal No. 72 of 2020 states that she has no objection for adoption of separate course. Learned APP also has no objection for adoption of separate course.
4. Accordingly, appellant No. 2 i.e. Rama Kisan Chavan is deleted from the array of appeal in this appeal and he is

granted liberty to file a separate appeal.

5. Considering the above, we are sure that these circumstances will be taken into account while considering the issue of delay, if any, in instituting the separate appeal.

6. Accordingly, Interim Application No. 2886 of 2022 is allowed in terms of prayer clause (a), which reads as follows :

“(a) The applicant may kindly be permitted to file a separate appeal by virtue of change of the advocate.”

7. Interim Application No. 2886 of 2022 is disposed of accordingly.

S.M. MODAK, J.

M. S. SONAK, J.