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

**INTERIM APPLICATION NO. 3034 OF 2022
IN
CRIMINAL APPEAL NO. 729 OF 2017**

Faruq Ismile Khan	.. Applicant / Appellant No. 1
Vs.	
The State of Maharashtra	.. Respondent

Mr. Aniket Vagal for Applicant / Appellant
Mr. Rupesh Bobade, Advocate appointed for Appellant in Criminal Appeal No. 729 of 2017
Mr. Ajay Patil, APP for State
Mr. Sarfaraj J. Shaikh i/by Mr. Sachin Gite for Appellant in Criminal Appeal No. 745 of 2017

**CORAM : A.S. GADKARI &
MILIND N. JADHAV, JJ.**

DATE : 16th SEPTEMBER 2022.

P.C.:

. This Interim Application is received through jail. The Applicant / Appellant No. 1 has prayed that, he may be permitted to engage a private experienced Advocate for his defence to conduct his Appeal i.e. Criminal Appeal No. 729 of 2017.

2. Record indicates that, on 17.08.2022, this Court had directed to appoint an Advocate to represent and espouse cause of Appellants from the panel of Legal Aid Committee as no one had appeared on behalf of the Appellants at least on two consecutive occasions.

3. Today Mr. Aniket Vagal, learned Advocate appeared for and on behalf of Applicant / Appellant No. 1 and submitted that, he has filed Vakalatnama on behalf of both the Appellant's after taking no-

objection from the earlier Advocate on record.

4. It is to be noted here that, after passing of the Order dated 17.08.2022 and before Advocate Mr. Vagal files his Vakalatnama, the Registry has already complied with the Order dated 17.08.2022 and Advocate Mr. Rupesh Bobade has been appointed to espouse the cause of the Appellants.

5. As the Applicant has now filed the present Application for permitting him to engage a private experienced Advocate and in fact, Advocate Mr. Vagal has filed his Vakalatnama, we allow the present Application subject to payment of cost of Rs. 5000/- by the Applicant to Kirtikar Law Library, High Court, Mumbai within a period of two weeks from today.

Subject to payment of cost, Advocate Mr. Vagal is permitted to continue his Vakalatnama for and on behalf of the Appellants in Appeal No.729 of 2017.

6. If the Applicant pays the said cost within the stipulated period, in that event, the appointment of Advocate Mr. Rupesh Bobade by Legal Aid Committee will cease to remain in force and he will stand discharged.

7. Application is allowed in the aforesaid terms.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]