

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL (ST.) NO. 18246 OF 2022
WITH
INTERIM APPLICATION NO. 3696 OF 2022**

Chhedilal @ Shiva Ramlal Nirmal ... Appellant
V/s.
The State of Maharashtra ... Respondent

Mr. Madhusudan D. Pareek, Appointed Advocate for Appellant.
Mr. Ajay Patil, A.P.P. for Respondent-State.

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

DATE : 14th November 2022.

PC. :

1. Present appeal has been filed on behalf of Appellant by the Advocate appointed by Legal Aid.

It appears from the record that, while forwarding the letter to the Legal Aid Committee, the Appellant did not disclose the fact that, he had preferred Criminal Appeal No.1299 of 2011 against the same impugned Judgment and Order dated 29th April 2011 passed by the learned Additional Sessions Judge, Greater Mumbai, in Sessions Case No. 221 of 2009.

2. Record maintained by the High Court clearly indicates that, the Appellant had preferred said Criminal Appeal No.1299 of 2011 against the

same impugned Judgment and Order passed by the Trial Court. That the said appeal has been dismissed by the Judgment and Order dated 21st January 2014 by the Co-ordinate Bench thereby maintaining the conviction and sentence of the Appellant.

3. Mr.Parik, learned Advocate represented to the Appellant, after perusing record of this Court, fairly conceded to the said fact.

4. In view of the above, present appeal as filed is not maintainable under the law. Appeal is accordingly dismissed in *limine*.

5. In view of disposal of Appeal, Interim Application No. 3696 of 2022 does not survive and is accordingly disposed off.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]

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