

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.615 OF 2022

AND

CRIMINAL APPLICATION (APPA) NO.864 OF 2022

(RAMKISAN LAXMAN SHENDE ..VS.. STATE OF MAH. THR. PSO PS PARWA, DISTT. YAVATMAL)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Sunita Paul, Advocate (Appointed) for the Appellant.
Shri S.D.Sirpurkar, Advocate for Respondent /State.

CORAM : ANIL S. KILOR, J.
DATED : DECEMBER 16, 2022.

CRI. APPEAL NO. 615/2022

1. Heard.
2. ADMIT.
3. Call R & P.
4. Learned A.P.P. waives service on behalf of the respondent/State.

CRI.APPLICATION NO. 864/2022.

5. Heard.
6. After going through the relevant oral evidence and the findings recorded by the trial Court, I am of the opinion that re-appreciation and reconsideration of the

evidence is necessary in this case. The trial would not be concluded in near future. It is informed that the appellant was on bail throughout the trial. Accordingly, I pass the following order:

- i) The Criminal Application is allowed.
- ii) The substantive sentence imposed on the appellant by the impugned judgment and order dated 28/04/2022 passed in Sessions Trial No.120/2015 is suspended and it is directed that if the custody of the appellant is not required in any other case, he be released on the same bail as in the trial Court with fresh bonds.
- iii) The appellant and his surety(s) shall appear before the trial Court for execution of the fresh bonds.

The Criminal Application is **disposed of** accordingly.

JUDGE

RRaut..