

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

CRIMINAL APPLICATION (APPA) NO.887 OF 2022

IN

CRIMINAL APPEAL NO. 136 OF 2017

(Mahesh Kariman Tirki and others Vs. State of Maharashtra)

AND

CRIMINAL APPLICATION (APPA) NO.887 OF 2022

IN

CRIMINAL APPEAL NO. 137 OF 2017

(G. N. Saibaba Vs. State of Maharashtra)

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

Court's or Judge's orders.

Mr. H. P. Lingayat, Advocate for Appellants.

Mr. Hrishikesh Chitale, Assistant Special Public Prosecutor for
Respondent/State.

CORAM: ROHIT B. DEO AND ANIL L. PANSARE, JJ.

DATE: 7th OCTOBER, 2022.

This application is styled as an “application for permission for hearing”.

2. The hearing of the appeal commenced on 12.09.2022, and on 29.09.2022 we reserved the judgment.

3. It is averred in the application that the respective parties filed their written submissions, and further, that the written submissions of the appellants 1 to 5 and appellant 6 were received on 05.10.2022. It is further submitted that points which were not pressed and argued and judgments

which were not quoted are relied upon by the appellants.

4. The learned Assistant Special Public Prosecutor Mr. Hrishikesh Chitaley mentioned the matter at 10:30 a.m. We indicated to Mr. Hrishikesh Chitaley that there is a possibility that today may be the last sitting of the Bench in the current roster since six Judicial Officers are to be administered oath at 05:00 p.m. We, therefore, expressed our willingness to either hear Mr. Hrishikesh Chitaley at 02:30 p.m. or then to have a Special Court Session tomorrow i.e. on 08.10.2022. In the alternative, we suggested to Mr. Hrishikesh Chitaley that like the appellants, the prosecution may also file additional written notes of submissions.

5. When the matter is called out in the second session, Mr. Hrishikesh Chitaley submitted that since the learned Special Public Prosecutor Mr. Siddharth Dave is not available tomorrow, the prosecution shall file additional written notes on or before 11.10.2022. We would appreciate if copy of the additional written notes is served on the learned counsel for the appellants.

6. Before parting with the order, we note the submission of the learned counsel Mr. N. B. Rathod that the statement in the application that the learned counsel for appellant 6 urged only the points of sanction and seizure, is not quite accurate, since before commencing the argument the learned Senior Counsel clarified that he was adopting

the submissions of Mr. Madhyan, on other issues involved.

7. The application is disposed of in the aforestated terms.

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)

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