

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

CRIMINAL APPLICATION (APPA) NO.1018 OF 2022

IN

CRIMINAL APPEAL NO.795 OF 2022

(ROSHAN SHATRUGHNA PATIL ..VS.. STATE OF MAH. THR. PSO PS KHARANGANA, DIST.
WARDHA & ANR.)

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

Court's or Judge's orders

Shri Mahesh Rai, Advocate for the Appellant/Applicant.
Shri S.D.Sirpurkar, Advocate for Respondent No.1.

CORAM : ANIL S. KILOR, J.

DATED : DECEMBER 16, 2022.

1. The learned counsel for the appellant submits that there was love affair and according to him the date of birth is not proved and to canvass this point he has taken care through depositions.

2. 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 application is allowed.

ii) The substantive sentenced imposed vide impugned order dated 11/10/2022 in Spl. (Ch.Act) Case No.26 of 2017 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

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