

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

CRIMINAL REVISION APPLICATION NO. 304 OF 2019
Ahuja Nandkishor Dongre Vs. State of Maharashtra and anr

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

Court's or Judge's orders

Mr. A.V.Muley, Advocate for the appellant
Mr. S.M.Ghodeswar, APP for respondent No.1/State
Mr. I.M.Ghongade, Advocate for respondent No.2(a) to 2(d)

CORAM : AVINASH G. GHAROTE, J.
DATE : 12/07/2022

Heard Mr. Muley, learned counsel for the applicant and Mr. Ghongade, learned counsel for respondent Nos. 2(a) & 2(b) and learned APP for State.

The impugned order dated 17.7.2017 dismisses the appeal as abated on the ground that the respondent therein/org complainant had died on 24.4.2016 and no steps were taken for bringing his L.Rs. on record.

Mr. Ghongade, learned counsel for the respondents, fairly states on instructions that he has no objection if the impugned order is set aside and the matter is remanded back to the learned Sessions Court to be decided within the specified time frame.

The statement is accepted. The impugned order is hereby set aside and the matter is remanded back to the learned Sessions Court for deciding the appeal on merits as per law, within a period of six months from the date of passing of this order.

The L.Rs of the original complainant undertake to appear before the learned Sessions Court on 18.7.2022.

On an application for bringing the L.Rs of the deceased original complaint being moved, the learned Sessions Court shall allow the same and accept the appearance of the L.Rs. in place of the original complainant.

A copy of this order be placed before the learned Sessions Court by the applicant on 18.7.2022, in order to apprise the learned Sessions Court of the present order.

Parties shall appear before the learned Sessions Court on **18.7.2022**.

The revision application is allowed and disposed of accordingly.

JUDGE

Rvjalit