

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

947 CRIMINAL APPLICATION NO.381 OF 2023
IN APEAL/44/2020 WITH APEAL/44/2020 WITH
APPLN/1951/2020 WITH ALS/112/2020

DNYANDEV S/O. TRIMBAK UKIRDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Gaikwad Dnyaneshwar B.,
Mr. Jaiswal Rupesh A.
APP for Respondent-State : Mr. V. S. Badakh.
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CORAM : S. G. MEHARE, J.
DATE : 16.06.2023

PER COURT :-

1. Heard the respective learned counsels.
2. The similar application bearing Criminal Application No.186 of 2020 was filed before this Court. However, the Court declined to suspend the sentence by order dated 04.03.2020.
3. Learned counsel for the applicant seeks leave to withdraw Criminal Application No.381 of 2023. Leave granted. Criminal Application stands dismissed as withdrawn.
4. The appeal has already expedited as per the order dated 04.03.2020 in Criminal Application No.186 of 2020. The case

is ready by all means. The State has filed the appeal for enhancement of the sentence. The applicant is languishing in jail since 2020 and undergone sentence for around three years against the conviction for five years.

In Criminal Application No.1951 of 2020.

5. For the reasons mentioned in the application, the delay in preferring the appeal is allowed. Criminal Application is accordingly disposed of.

6. Registry is directed to register the appeal according to law.

7. In view of the above, by consent, list the matter for final hearing on 13.07.2023.

(S. G. MEHARE, J.)

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vmk/-