

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

901 CRIMINAL APPLICATION NO.2812 OF 2022

Santosh Sandu Gadve.

... Applicant

Versus

1. The State of Maharashtra.
2. Gokulsingh Kashinath Kayate.

... Respondents

...
Mr. Shailesh S. Chapalgaonkar, Advocate for Applicant.
Mr. V. K. Kotecha, APP for Respondent/State.

...

CORAM : R. G. AVACHAT and
SANJAY A. DESHMUKH, JJ.

DATE : 06th December, 2023.

Per Court:

. Heard.

2 Perused the FIR.

3 The co-accused was found in possession of a country made pistol. It is he (co-accused), who made a statement to the police that he had obtained the same from the present applicant. There is nothing more against the present applicant, which could be termed to be a material admissible in evidence. Since, only material against the present applicant is in the nature of statement made by the co-accused

to the police and the same being inadmissible in evidence, as such, it is a case of no material against the present applicant. The application, therefore, deserves to be allowed. The application is allowed in terms of prayer clauses (B) and (E).

nga

[SANJAY A. DESHMUKH, J.]

[R. G. AVACHAT, J.]