



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3979 OF 2023
IN APEAL/403/2019

SAMPAT KAKASAHEB KARDILE

VERSUS

THE STATE OF MAHARASHTRA

...

WITH

CRIMINAL APPEAL NO. 403 OF 2019

...

Mr. S. S. Ghate, Advocate for Applicant.

Mrs. V. S. Choudhari, APP for Respondent – State.

...

CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.

DATE : 29th November, 2023

ORDER :-

. It appears that the present application is the second application. The earlier application, when learned Advocate for the applicant prayed for withdrawal of the same, was disposed of as withdrawn after disinclination was shown by this Court to grant any relief in respect of suspension of sentence to the applicants. There is no change in circumstance except change in Advocate and, therefore, the present application is not maintainable. Hence, Criminal Application No.3979 of 2023 stands rejected.

2. Learned Advocate for the applicant now prays for expediting the appeal, however, at present this Court is dealing with the jail appeals of the year 2016, 2017 and 2018. This appeal is of the year 2019 and, therefore, no preference can be given.
3. Since the arguable points are made, appeal stands **admitted**.
4. Issue notice to the respondent. Learned APP waives notice for the respondent – State. Call record and proceedings.
5. Matter to come up as per its turn.

[ABHAY S. WAGHWASE]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm