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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 403 OF 2005

Nalu Dattatraya Bandgar

... Appellant

Versus

Dattatraya Baliram Bandgar and Anr.

... Respondents

None for the Appellant.

Ms.Yashashri Naik, Advocate for Respondent No.1.

Mr.H.J.Dedhia, APP for the Respondent No.2 – State.

CORAM : S. M. MODAK, J.

DATED : 3rd JANUARY, 2023

P. C. :-

1. Heard learned Advocate for the Respondent No.1. Perused the order dated 28th November, 2022 as well as order dated 12th December, 2022.
2. Though learned Advocate for the Appellant had made a statement on 28th November, 2022 to write a letter to his client and seek discharge, thereafter nothing has happened. Today also, no one is present on behalf of the Appellant.
3. It is to be noted that the Appeal is of the year 2005 and hence, cannot be kept pending for long. It seems that the Appellant is not interested at all in prosecution. It was for the offence punishable under Section 498-A of the Indian Penal Code (45 of 1860).
4. Hence, for the aforesaid reasons, Appeal is dismissed for non prosecution.

(S. M. MODAK, J.)