



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 527 OF 2024
IN
CRIMINAL APPEAL NO. 1049 OF 2023

1. Satyajeet Shantaram Pawar,
Police Constable, B.No. 1720,
Age: 44 Years, Occu: Service,
R/o. N-9-H-138/3, Shrikrishna Nagar,
Hudco, Aurangabad.
2. Amol Shantaram Pawar,
Age: 46 Years, Occu: Business,
R/o. N-9-H-138/3, Shrikrishna Nagar,
Hudco, Aurangabad.

... Applicants
[Orig. Respondents]

Versus

The State of Maharashtra
Through Anti Corruption Bureau,
Aurangabad, Dist. Aurangabad.

... Respondents
[Orig. Applicant]

.....
Mr. S. N. Lale Yelwatkar, Advocate for the Applicants.
Mr. S. M. Ganachari, APP for Respondent-State.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 22.02.2024

Pronounced on : 01.03.2024

ORDER :

1. This is an application by original accused praying for fixing appeal for early final hearing in view of directions of the Hon'ble Apex Court dated 08.12.2023 in SLP No. 15534 of 2023.

2. Learned counsel pointed out that State had filed ALS No. 42 of 2020 seeking to file appeal against acquittal before this Court. The said application is allowed and appeal is directed to be registered in October 2023. That, present applicants had filed SLP No. 15534 of 2023 before the Hon'ble Apex Court in which order has been passed, copy of which is annexed herewith. It is further pointed out that by said order, Hon'ble Apex Court has requested this Hon'ble Court to decide the appeal as early as possible. Hence the above prayers.

3. Here is an application for fixing appeal filed by the State for early hearing. Precisely, order passed by the Hon'ble Apex Court dated 8.12.2023 is placed on record at Exhibit "B" which reads as under:

"We are not inclined to interfere with the impugned judgment and order. The Special Leave Petition is, accordingly, dismissed.

The High Court is requested to decide the appeal as early as possible subject to other matters on Board and considering the sensitivity of the matter.

Pending application(s) shall stand disposed of."

4. Therefore, from above order, it is clear that there are directions to this court to decide the appeal as early as possible, further clearly specifying, subject to other matters on board. This court is currently dealing with final hearing appeals of the year 2002. Therefore, appeal preferred by the State would be considered as per year-wise sequence. However, endeavour would be made by this court to deal with the appeal by State as and when State is ready.

5. The application is accordingly disposed off.

[ABHAY S. WAGHWASE, J.]

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