



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1109 OF 2024
IN
APPLICATION FOR LEAVE TO APPEAL BY PRIVATE PARTY NO. 118 OF 2023

Dr. Shri Vipul Jayantilal Bafna
Age : 43 years, Occupation : Medical Practitioner,
Resident of : C/o Niramay Hospital,
80 Feet Road, Dhule,
District Dhule.

... Applicant
[Orig. Complainant]

Versus

1. Shri Ajay @ Vijay Mohan Polade
Age : years, Occupation :
2. Shri Prakash Moan Polade
Age : years, Occupation :
- Both Residents of : Lane No. 7,
Behind Subhash Bose Statue,
Near Mari Mata Mandir, Dhule.
3. Shri Shailendra Bhaurao Sale
Age : years, Occupation: Editor
4. Shri Yuvraj Deore
Age : years, Occupation: Executive Editor,
5. Shri Narendra Ramnath Jamadar
Age : years, Occupation: Printer
6. Shri Sunil Ramnath Jamadar
Age : years, Occupation: Resident Editor

All residents of : Media Tower No.18,
Shriram Colony, Wadibhokar Road,
Deopure, Dhule.

... Respondents
[Orig. Accused]

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Mr. Mukul S. Kulkarni, Advocate for the Applicant.
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CORAM : ABHAY S. WAGHWASE, J.

DATED : 15.03.2024

ORDER :

1. Instant application is filed seeking leave to serve respondent nos. 3 to 6 by paper publication.

2. Learned counsel for the applicant submits that, aggrieved by the judgment and order of acquittal of respondents from offence punishable under Section 500 r/w 34 of the Indian Penal Code, applicant has filed application seeking leave to file appeal against the said order. He submits that, notices were issued in the said matter on 12.09.2023 on the same address as was given before the learned Magistrate. However, respondent nos. 3 to 6 could not be served. Therefore on 21.12.2023, notices were again issued on fresh address, however the same also returned unserved as not found on given address.

3. He further submits that since the said respondents were served upon the same address given by the applicant before the learned

Magistrate and that since no other address is known to the present applicant, he seeks leave to serve the said respondents by paper publication in the newspaper “Dainik Punyanagari”, Dhule Edition.

4. In view of the above submissions, the application is allowed in terms of prayer clause “A” and disposed of accordingly.

[ABHAY S. WAGHWASE, J.]

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