



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPEAL NO.850 OF 2023 WITH
CRIMINAL APPLICATION NO.2821 OF 2023 WITH
CRIMINAL APPLICATION NO.2822 OF 2023**

Sahebrao Sudam Divikar

... APPELLANT

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

.....
Mrs. Sabahat T. Kazi, Advocate for appellant
Mrs. U.S. Bhosle, A.P.P. for respondent No.1.
.....

**CORAM : R.G. AVACHAT AND
R.M. JOSHI, JJ.**

DATE : 19th JANUARY, 2024

ORDER :

Not on board. Taken on board upon being mentioned.

2. Learned counsel for the appellant submits that, under the instructions of the convict, the present appeal came to be filed without knowing the fact that Criminal Appeal No.227/2011 preferred by the same appellant against the same impugned judgment and order dated 25/3/2011 has been dismissed on merits by judgment dated 12/6/2012 by this Court. In view of this, learned counsel for the appellant seeks leave to withdraw the appeal along

with the application for condonation of delay and application for suspension of sentence. In view of this, the appeal and the applications stand disposed of as withdrawn.

3. Since the matter was referred by the Legal Services Sub-Committee to the learned counsel Mrs. Sabahat T. Kazi, the Secretary, Legal Services Sub-Committee shall pay her fees for filing the appeal etc. as per rules.

(R.M. JOSHI, J.)

(R.G. AVACHAT, J.)

fmp/-