

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

CRIMINAL APPEAL NO.1316 OF 2019

The State of Maharashtra	...Appellant
vs.	
Nagnath Dadarao Gaikwad	...Respondent

Mr. A.D. Kamkhedkar, APP for Appellant.

Mr. Mohansinh U. Rajput a/w Mr. Sachin A. Ambulkar, Advocate for the Respondent.

CORAM : S. M. MODAK, J.
DATE : 31st JANUARY 2024

P. C. :-

1. It is true that in a trial conducted by the Court as per the Prevention of Corruption Act, Malshiras, Solapur three accused were tried. Accused Nos.1 and 3 were convicted whereas, Accused No.2 who is present Respondent was acquitted.
2. Conviction of Accused Nos.1 and 3 was challenged by them before this Court. It was set aside by this Court. So submission was made on 20th March 2023 about tenability of the present Appeal against acquittal. Whereas, on 12th December 2023, learned APP was asked to take instructions about possibility of withdrawal of Appeal. The Government has communicated the decision to withdraw this Appeal. Letter dated 15th January 2024 sent by the Under Secretary (Legal) to Government produced by the learned APP is tendered on record and marked as

Annexure 'X'. It is really appreciable that the State particularly, the Law and Judiciary Department is kind enough to take appropriate decision.

3. In view of that, the Appeal stands disposed of as withdrawn.

[S. M. MODAK, J.]