

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

CRIMINAL REVISION APPLICATION NO. 221 OF 2024

Nitin **Shahaji** Patil

...Applicant

vs.

State of Maharashtra

...Respondent

Mr. Priyal Sarda:-	Advocate for the Applicant.
Mr. A. S. Gawai:-	APP for the State.

CORAM : S. M. MODAK, J.

DATE : 21st JUNE 2024

P. C. :-

1. For the reasons recorded separately, which are under typing, following order is passed:-

ORDER

(i) Revision is partly allowed.

(ii) The order passed by the Court of Sessions Judge, Pune on 22nd March 2024 in Criminal Appeal No.206 of 2017 is set aside.

- (iii) The Appeal is remanded to the Appellate Court.
- (iv) The Applicant to appear before the Appellate Court on 1st July 2024.
- (v) The Appellate Court to hear the appeal again with following directions:-
 - (a) Go through the record of the trial Court and hear the parties on the point of any attempt made to examine witness to prove Exhibit-30.
 - (b) Then hear the Appeal again as per merits.
 - (c) The Applicant is at liberty to address **Appellate Court** on this aspect as well on other merits.
 - (d) The Appellate Court is at liberty to exercise necessary power if it deems proper as per the settled law.

2. Revision is disposed of.

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[S. M. MODAK, J.]