



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

CRIMINAL APPEAL NO. 1094 OF 2023

**ABDUL RAUF ABDUL KADAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Appellant : Mr. Wagh Mukulanand R.
APP for Respondent No.1/State : Mrs. Ashlesha S. Deshmukh
Advocate for Respondent No.2 : Mr. Bhagwat Nilesh N. (Appointed)

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CORAM : SHAILESH P. BRAHME, J.
DATE : 17th APRIL 2025

PER COURT :

. Appellant was granted interim protection vide order dated 07.11.2023. Learned Counsel for the Appellant adverts my attention to the affidavit-in-reply to show that the statements of the eye-witnesses are not supporting the prosecution. He further submits that as per paragraph no.8 of the reply, 'A' summary report has already been filed before the Competent Court.

2. If this is the situation then I find that present appeal deserves to be allowed. Hence I pass following order :

ORDER

(a) Criminal Appeal is allowed and the impugned order is quashed and set aside.

- (b) Interim relief granted earlier shall stand confirmed.
- (c) Learned Counsel Mr. Bhagwat appointed for Respondent No.2 is quantified Rs.3000/- for rendering assistance to this Court.

SHAILESH P BRAHME
JUDGE

NAJEEB..