

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

**INTERIM APPLICATION NO.316 OF 2025
IN
CRIMINAL APPEAL NO.1136 OF 2024**

Ganesh Ananta Kalan Intervenor

IN THE MATTER BETWEEN :

Nitesh Bholenath Mhatre Applicant

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Amin Solkar, Advocate for Applicant.
- Ms. P. N. Dabholkar, APP for the State/Respondent.
- Mr. R. D. Suryawanshi, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
ADVAIT M. SETHNA, JJ.
DATE : 02nd SEPTEMBER, 2025**

P.C. :

1. This is an application for directions to the Appellant to add the Applicant Ganesh Kalan as a party Respondent No.1 in Criminal Appeal No.1136 of 2024, in place of Respondent No.2 Durgabai Kalan.

2. Learned counsel for the Applicant submitted that the original Respondent No.2 Durgabai Kalan has passed away. She was granted compensation under the impugned Judgment and Order of conviction recorded against the Appellant Nitesh Mhatre. He submitted that the Applicant Ganesh Kalan is the stepson of Durgabai Kalan.
3. Learned counsel for the original Appellant Nitesh Mhatre has no objection if the present Applicant Ganesh Kalan is substituted in place of Durgabai Kalan.
4. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The Applicant Ganesh Kalan is permitted to be substituted in place of Durgabai Kalan, the original Respondent No.2.
- (iii) Learned counsel for the original Appellant shall carry out the necessary amendment in the

Appeal memo as well as in the connected applications.

- (iv) Amendment shall be carried out within a period of three weeks from today.
- (v) The present application is disposed of.

(ADVAIT M. SETHNA, J.)

(SARANG V. KOTWAL, J.)