

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

APPLICATION FOR LEAVE TO APPEAL (PVT) NO.46 OF 2024

Kapildev Chug

.... Appellant

versus

The State of Maharashtra & Ors.

.... Respondents

.....

- Mr. Kapildev Chug, Applicant-in-person present.
- Ms. Kranti Hiwrale, APP for the State/Respondent.
- Ms. Christabelle M. K. i/b. Mr. Manoj Khatri, Advocate for Respondent Nos.2 and 3.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**

DATE : 28th JANUARY, 2026

P.C. :

1. Heard learned counsel for the Applicant as well as the learned counsel for the Respondent Nos.2 and 3. Perused the impugned Judgment and Order. Arguable questions are raised.

2. Hence, the following order :

MANUSHREE
NESARIKAR

ORDER

Digitally signed
by MANUSHREE
NESARIKAR
Date: 2026.01.29
11:44:58 +0530

- (i) Leave is granted to prefer an Appeal against the acquittal challenging the Judgment and Order

dated 12/03/2024 passed by the learned Metropolitan Magistrate, 64th Court, Esplanade, Mumbai, in Criminal Case No.35/SW/2012.

- (ii) Appeal is admitted.
- (iii) The record and proceedings are sent to this Court. It shall be sent back to the Trial Court for preparation of paperbooks. After the paperbooks are prepared, the record and proceedings with paperbooks, shall be sent back to this Court.
- (iv) Learned counsel Ms. Christabelle M. K. waives service of notice on the Respondent Nos.2 and 3 for final hearing of the Appeal.
- (v) Hearing of the Appeal is expedited.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)