

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

**CRIMINAL APPEAL NO. 599 OF 2025
(SERIAL NO. 16)**

Sandip Dattatray Shelar

...Appellant

Vs.

The State of Maharashtra and Anr.

...Respondents

**ALONGWITH
CRIMINAL APPEAL NO. 735 OF 2025
(SERIAL NO. 17)**

Harshad @ Harshal Balasaheb
Khaladkar

...Appellant

Vs.

The State of Maharashtra and Anr.

...Respondents

Adv. Aakash R. Pandey a/w Rahul Patil	Advocate for the Appellants
Mr. Amit Icham	Advocate for the Respondent
Ms. Shilpa K. Gajre	APP for Respondent – State
Mr. Anil Vitthal Omase	PSI Daund SDPO Office

CORAM : S. M. MODAK, J.

DATE : 10th SEPTEMBER 2025

P. C. :-

1. When both the appeals are taken up for hearing, at the

beginning learned Advocate for the Appellants has not requested for adjournment. But he started the arguments and subsequently requested for adjournment.

2. It is on account of referring of two FIRs. One F.I.R. is filed by mother of the first informant in which the Appellant-Sandip Shelar has represented that accused is an advocate by profession. In respect of second F.I.R., there is pleading to that effect in ground no. 6 on page no. 11. However, its copy is not filed. Second F.I.R. which he has referred during the arguments is F.I.R. filed by the wife of the Appellant- Sandip Shelar against the prosecution witnesses by name Suraj Jadhav, Rushikesh Jadhav, Aniket Ingale. This F.I.R. is after lodging of the present F.I.R. bearing C.R. No. 362 of 2025. In fact, learned Advocate for the Appellant ought to have informed the Court at the beginning itself that he wants to rely upon that F.I.R..

3. If the Appellant wants to rely upon some documents, the Court cannot deny an opportunity on technical pleas, that is to say, a particular fact is not pleaded. The Appellant-Sandip Shelar is at liberty to file additional affidavit to that effect.

4. Stand over both matters to **26th September 2025**.

5. Ad-interim granted earlier in both the appeals to continue till the next date.

6. If the affidavit is not filed, on the next date, the Court will proceed with the hearing without affidavit. Affidavit be served on other side in advance. It is made clear that in no case the Court will adjourn the matter at the instance of any of the party.

[S. M. MODAK, J.]