

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 423 OF 2013
IN
CRIMINAL WRIT PETITION NO. 1537 OF 2013

Harddik Panchal	...	Applicant.
And		
Hemlata Dhirajlal Chauhan.	...	Petitioner.
V/s.		
State of Maharashtra and others.	...	Respondents.

Subhash Jha i/b. Shailendra Singh i/b. Manas and Co.
for the applicant.

Ms.Rashmi Gangwani i/b. Ganesh Gole for the petitioner.

K.V.Saste, APP for the State.

**CORAM : S.C.DHARMADHIKARI AND
MRS.REVATI MOHITE DERE, JJ.**

DATED : 24th December 2013.

P.C.

We have heard Mr.Jha in support of this application. We have also heard Ms.Gangwani for the original petitioner.

2. We do not think any modification of the order passed by us on 27th June 2013 is necessary. Mr.Jha brings to our notice a copy of the Roznama in the case before the trial Court which indicates, according to

him, that the next date is 25th January 2014. Mr.Jha submits that 25th January 2014 is a fourth Saturday and, therefore, a nonworking day even for a trial Court.

3. We do not think that on this copy of Roznama the modification of the order passed is necessary. The applicant before us has undertaken to remain present on 15th January 2014. Let him abide by the undertaking and remain present before the trial Court. The trial Court shall record his presence and even if the case is not listed on that day, in the presence of both sides, namely, the complainant and applicant before us (original accused No.1) fix a schedule of dates for hearing and disposal of the subject case. We do not think it necessary to alter the date of appearance of the applicant before the trial Court. We dispose of this application with this additional clarification.

(REVATI MOHITE DERE, J.)

(S.C.DHARMADHIKARI , J.)