

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 47 OF 2015

Jivaraj s/o. Maroti Dhakane **....Applicant.**

Versus

The State of Maharashtra & Anr. **....Respondents.**

Mr. Rajendra S. Deshmukh, Advocate for applicant.

Mr. A.V. Deshmukh, APP for State.

CORAM : T.V. NALAWADE, J.

DATED : 16th January, 2015.

ORDER :

1. Today the learned counsel for applicant produced a copy of judgment made by this Court in Criminal Writ Petition No. 10/2015. It appears that the order made by the learned J.M.F.C. under the provisions of section 319 of Criminal Procedure Code is challenged in Criminal Revision No. 63/2014 by the present applicant. In that proceeding, application was moved at Exh. 5 for stay to the operation of the order made by the learned J.M.F.C. and that application was rejected by the Sessions Court. The said order was challenged in the Criminal Writ Petition. It appears that Criminal Writ Petition is allowed by this Court (by other Hon'ble Judge of this Court). The order made by the learned Additional Sessions Judge is set aside by this Court and

application filed at Exh. 5 in Misc. Criminal Revision is allowed by this Court.

2. Due to this order, not only the order made by the learned J.M.F.C. under section 319 of Cr.P.C. is stayed, but also the order of N.B.W. issued against the present applicant is stayed. In view of these circumstances, present proceeding cannot be allowed to proceed ahead as already some relief is given and there is no apprehension as such. The present proceeding is disposed of accordingly with liberty to come to this Court again if occasion arises.

[T.V. NALAWADE, J.]

ssc/