

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 850 OF 2015

Dr. Devidas s/o Vitthalrao Doiphode,
Age: 67 years, Occ: Pensioner,
R/o.House No.196, Chatrapati Nagar,
Ring Road, Nagpur, Dist. Nagpur.

...Applicant

versus

The State of Maharashtra,
Through Police Station, Mukundwadi,
Cidco, Aurangabad & anr.

...Respondents

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Mr. R.R. Imale, Advocate h/f Mr. H.C. Puse, Advocate for
applicant.

Mr. S.R. Palnitkar, A.P.P. for respondent No.1

Mr. P.V. Barde, Advocate h/f Mr. N.S. Ghanekar, Advocate
for respondent No.2.

CORAM : N.W. SAMBRE, J.

DATE : 10th SEPTEMBER, 2015

ORAL ORDER :

In view of law laid down by the Apex Court in the matter of ***Om. Kr. Dhankar vs. State of Haryana and another*** reported in ***AIR 2012 SCW 1821***, the order of issuance of process is revisable. In view thereof, learned Counsel for the applicant makes motion for withdrawal of the application with liberty to approach the revisional Court. The motion is allowed. The application is dismissed, as withdrawn, with liberty as prayed for. Time consumed in prosecuting the present proceedings will be taken into consideration while deciding the issue of condonation of delay, if any.

[N.W. SAMBRE, J.]