

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

CRIMINAL WRIT PETITION NO. 1418 OF 2014

Dr. ASHISH S/O ARVIND BOPALKAR

V/S

THE STATE OF MAHARASHTRA AND ORS.

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Mr. V.J.Dixit, Sr. Counsel i/b Mr. S.V.Dixit,
Advocate for the Petitioner.

Mr. V.P.Kadam, A.P.P. for R – 1 State.

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CORAM : V.M.DESHPANDE, J.

DATE : 23rd JANUARY, 2015

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PER COURT :

1. Heard Mr. V.J.Dixit, the learned Sr. Counsel along with Mr. S.V.Dixit, learned counsel for the petitioner and Mr. V.P.Kadam, the learned A.P.P. for the respondent No. 1 – State.

2. By the present Writ Petition, the petitioner has prayed that the process issued by the learned Judicial Magistrate First Class, Jamkhed on 23/09/2010 in R.T.C. No.

182/2010 together with the Judgment and Order dated 14/08/2013 passed by the learned Sessions Judge, Ahmednagar in Criminal Revision No. 194/2010 be quashed and set aside, with further prayer to quash R.T.C. No. 182/2010.

3. It appears from the compilation of the petition that the order passed by the learned revisional Court dated 14/08/2013 was already under challenge before this Court in Criminal Application No. 4678 of 2013 at the behest of the present petitioner. The learned Senior Counsel for the petitioner has fairly stated that on 25/09/2014, this Court after hearing extensively, allowed to withdraw the said Criminal Application.

4. I have perused the order dated 25/09/2014 which is annexed along with the present petition. The perusal of the said order shows that after the matter was heard extensively and since this Court was not with the present petitioner, upon instructions from the present petitioner, the learned Counsel has withdrawn the said application, however, this Court has granted liberty to the present

petitioner to avail the remedy as available to him in law.

5. This Court has already declined to grant any relief in respect of the order dated 14/08/2013, which is under challenge. Therefore, no case is made out for interference.

6. In that view of the matter, the present Writ petition is dismissed.

[V.M.DESHPANDE, J.]

KNP/Cr. W.P. 1418.2014