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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 306 OF 2015
IN
CRIMINAL WRIT PETITION NO.1075 OF 2015

Mr. Prabhu Hiralal Jethani	Applicant
In the matter of	
Shri Gorakhnath Krishna Shinde	Petitioner
versus	
The State of Maharashtra	Respondent

Mr. Uday P. Warunjikar i/b. Mr. Subhash Hulyakar, advocate for the applicant.
Mr. Sanjeev Kadam along with Mr. Siddarth Karpe, advocates for the petitioner.
Mr. K. V. Saste, APP for the State.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATED : 3rd JULY, 2015.

P.C.:

Mentioned for production. Production allowed in view of urgency.

2. Heard Mr. Warunjikar, learned counsel for the applicant, Mr. Kadam, learned counsel for the petitioner and Mr. Saste, learned APP for the State.

3. By this application, the applicant is seeking extension of the statement made by learned APP at the time of hearing of criminal writ petition No.1075 of 2015.

4. During the course of hearing of the said petition, learned APP placed on record, a copy of the order dated 21st June, 2015, passed by Superintendent of Police, Satara, under which, the impugned order in the said criminal writ petition was withdrawn. Learned APP also made a statement that the possession of the bungalow in question was taken from Mr. Yogesh Shinde, constituted attorney and son of the petitioner under panchanama, and thereafter, the said bungalow was sealed. He further made a statement that since the order impugned in the petition is withdrawn, the possession would be restored back to the person from whom the possession was taken within a period of seven days from the date of the order. On the basis of this statement, we dismissed the petition as well as the criminal application filed by applicant for intervention, as the prayer made in the writ petition did not survive for further consideration.

6. The aforesaid facts clearly show that the possession of the bungalow in question was taken from Mr. Yogesh Shinde, constituted attorney and son of the petitioner, and in view of withdrawal of the said order, the statement was made by learned APP that the possession of the same would be restored back to him. In the circumstances, we do not find any reason to interfere in the criminal application and the same is, accordingly, dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)