

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 492 OF 2013

Bapu Vitthal Pawar

.....Applicant

V/s.

Dhavalshih Pratapshih Mohite-patil and another

....Respondents

Mr. Priyal Sarda Advocate for Applicant

Mr. Ashok Mundargi Senior Advocate a/w Ms. Vrushali L. Maindad for
respondent no. 1

Ms. Veera Shinde APP for the State

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : JANUARY 30, 2015

PC :

1) Learned counsel for the applicant submits that he has filed this application seeking cancellation of pre-arrest bail granted in favour of respondent herein by Additional Sessions Judge, Malshiras, District Solapur vide Order dated 06/09/2013. Learned counsel submits that during the pendency of this application, charge-sheet has been filed. In view of this, learned counsel for the applicant seeks liberty to withdraw the application with further liberty to approach the same Court i.e. Court of Sessions at Malshiras seeking relief under section 439 (2) of Code of Criminal Procedure,

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1973.

2) Liberty as prayed for is granted in the interest of justice. It is made clear that this application has not been heard on merits. All issues are kept open and the learned Sessions Judge Malshiras shall decide the said application on its own merits without being influenced by the fact that this Court has granted liberty to move afresh.

3) Application stands dismissed as withdrawn

(SMT. SADHANA S. JADHAV, J.)