

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

APPLICATION FOR LEAVE TO APPEAL (PVT) NO.18 OF 2015

Mr.Natwar Nagjibhai Parekh ... **Applicant**

V/s.

Mr.Virendra D. Shah & Ors. ... **Respondents**

.....

Mr.Omar Khaiyam Shaikh, Advocate for the Applicant.

Mrs.M.R.Tidke, APP for the Respondent/State.

....

CORAM : ABHAY M. THIPSAY J.

DATED : 20TH JANUARY, 2015

P.C.

1. Heard.

2. The impugned the order appears to be of 'discharge' under section 245 of the Code of Criminal Procedure (for short, "the Code). Though Section 239 of the Code has been wrongly referred to in the order instead of Section 245 thereof, it is apparent that the order is of 'discharge' and not of 'acquittal'.

3. Appeal is not provided for from an order of discharge. As such, question of grant of leave to appeal does not arise.

4. The application is dismissed.
5. Needless to say that, the applicant shall be at liberty to file an application for revision, or initiate any other appropriate legal proceedings for the redressal of his grievance.

(ABHAY M. THIPSAY J.)