

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. WRIT PETITION NO. 2218 OF 2014

Mr. Dilip Bachubhai Patel	... Petitioner.
V/s.	
The State of Maharashtra & Anr.	... Respondents.

Mr. Kapil P. Dave, Advocate for the Petitioner.
Mrs. S. V. Gajare, A.P.P. for the State.
Mr. Mayur Foria, Advocate for Respondent No.2.

**CORAM : A.V. NIRGUDE, J.
DATE : 01st DECEMBER, 2015.**

P.C. :

This writ petition challenges an order dated 28th May, 2014 passed by the learned Additional Chief Metropolitan Magistrate, 38th Court, at Ballard Pier, Mumbai, rejecting the petitioner's application, seeking return of the property under section 451 of the Criminal Procedure Code. The said order can be challenged before the revisional court. If such revision application is filed, the learned Judge shall exclude the time of proceedings bonafide spent while prosecuting the present writ petition, as provided in Section 14 of Limitation Act, 1963.

I am sure that the learned Sessions Judge will hear the case on merits.

With the above direction, the petition stands disposed of.

(A.V. NIRGUDE, J.)