

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 413 OF 2015

Smt. Kailash Gopaldas Devi. ... Applicant.
Versus
Smt. Heena Gopaldas Devi & ors. ... Respondents.

None for applicant.

Mr. P.D. Desai, advocate for respondent No. 1.

Mrs. A.A. Mane, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : OCTOBER 7, 2015

P.C.:

1 Prayer clause in the present application is as follows :

(a) That this Hon'ble Court be pleased to allow the present application and direct the Ld. 65th M.M. Court at Andheri, Mumbai to dispose off expeditiously (within 3 months) the complaint case bearing No. 352/SW/2013 pending before the said Trial Court;

(ii) That any other order as this Hon'ble Court may deem fit and necessary in the nature and the circumstances of the case be passed in favour of the Applicant.

2 Learned Counsel appearing for the respondent No.1 submits that the respondents have filed an application seeking discharge in complaint bearing Case No. 352/SW/2013 pending before the Trial Court. The learned Counsel upon instructions submits that he has no objection to grant the prayer clause (a). However, the learned Magistrate shall first decide the discharge application and then proceed with the matter.

3 In view of this, the Application is allowed in term of prayer clause (a). The learned Magistrate shall decide the discharge application filed by the respondent within 3 months from the date of receipt of this order.

4 The application stands disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)

CERTIFICATE

**Certified to be true and correct copy of the original signed
Judgment/order.**