

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

CRIMINAL APPLICATION NO. 694 OF 2015

Kairoos Minoo Bhaya .. Applicant

v/s.

Mr. Chintan H. Kanakia & Anr. ..Respondents

Mr. Sunil Dilima i/b Britan Dlima for the applicant

Mr. A.H. Ponda i/b Manoj S. Mhambrey for the respondent no.1

Mr. J.H. Ramugade, APP for respondent State

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 20th NOVEMBER, 2015.**

P.C.

1. At the outset, it may be mentioned that Shri. Ponda, the learned Counsel representing the respondent no.1 has pressed the issue of maintainability of the application on the ground that the order is revisable before the Sessions Court and in view of the efficacious alternative remedy, the application under Section 482 of the Cr.P.C. should not be entertained.

2. The learned Counsel for the applicant, under instructions, seeks leave to withdraw the application with liberty to file the

Revision Application before the Sessions Court along with the application for condonation of delay. Leave with liberty is granted.

3. The Criminal Application is dismissed as withdrawn.

(ANUJA PRABHUDESSAI, J.)