

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 107 OF 2016
(Dr Sanjay s/o Lisanrao KH Vs. The State of Maharashtra)

Mr. Rajendra S. Deshmukh, Advocate for the petitioner
Mr. R.V. Dasalkar, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 25/01/2016

ORAL ORDER :

Upon hearing, learned counsel Mr. R.S. Deshmukh submits that, in fact, the application filed before the Sessions Court was not drafted in a correct fashion. In the circumstances, he, on instructions, seeks permission to withdraw the present writ petition. He submits that the liberty to file subsequent application according to the due procedure of law may be granted.

. Mr. Deshmukh further submits that as the record is going to be destroyed by the concerned service provider before 11th February, 2016, the learned Additional Sessions Judge, Dhule may be directed to expeditiously hear the application that would be filed by the petitioner.

2. Accordingly, the writ petition is allowed to be withdrawn with liberty to file application before the learned Additional Sessions Judge as per due procedure of law. Since the evidence may be destroyed due to lapse of time, the learned Additional Sessions Judge to consider and decide the application, if any filed by the petitioner, expeditiously.

. The present writ petition stands disposed of.

[M.T. JOSHI]
JUDGE

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