

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 730 OF 2015

Dr. Shaikh Abdul Hafiz and anr. .. Applicants

Vs.

The State of Maharashtra .. Respondent

Mr. N.V. Gaware, Advocate for the applicants
Mrs. R.P. Gour, APP for the respondent/State

CORAM : V.K. JADHAV, J.

DATE : 14/10/2016

ORAL ORDER :

Heard.

2. Learned counsel for the applicants, on instructions, seeks leave to withdraw the Criminal Application.

3. Learned counsel for the applicants submits that learned Additional Sessions Judge-5, Aurangabad while deciding Application - Exhibit 6, has made certain observations. Learned counsel for the applicants therefore submits that the applicants apprehend that the said observations may come in their way during the course of the trial.

4. It is needless to state that the observations made while deciding application - exhibit 6 for discharge, are *prima facie* in nature and un-influenced by the said observations, the learned Additional Sessions Judge is required to decide the Sessions Case on its own merits.

5. In the light of the above observations, leave granted.

6. Criminal Application is disposed of as withdrawn.

[V.K. JADHAV]
JUDGE

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