

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2813 OF 2016

**[Anil s/o Bhimraj Bhosale and anr.vs The State of
Maharashtra]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

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Shri N.V.Gaware, advocate for the applicants
Shri S.D.Ghayal, A.P.P. for respondent
Shri R.K.Temkar, advocate for complainant

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CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 13th JULY, 2016

PER COURT :

Heard.

2. It appears from the order of the Additional Sessions Judge, Ahmednagar, dated 19.4.2016 that filing of the charge sheet on 9.3.2016 was not considered since the application under Section 439 of the Criminal Procedure Code was filed by the applicant before the Sessions Court on 24.2.2016.

3. It is in these circumstances that the learned counsel for the applicant fairly submits that he would withdraw this application and file a fresh application before the learned Sessions Judge in the given change of circumstances.

4. Liberty as prayed for is granted in the interest of justice.

5. It is made clear that the application has not been heard on merits and that the learned Sessions Judge shall not be influenced by the withdrawal of this application and decide the application on its own merits.

6. Application stands disposed of in the above terms.

(SMT. SADHANA S. JADHAV, J.)

dbm/crap2813.16