

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 194 OF 2016**

Sunil Harichandra Burbadkar & Ors.	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. Raju Maruti Yamgar for the Applicants

Ms. Veera Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 26th APRIL, 2016

P.C. :

1. At the outset, learned A.P.P raises a preliminary objection. She submits that an application seeking modification of the order dated 17th February, 2016 passed by the Additional Sessions Judge below Exhibit 1 in Bail Application No. 19 of 2016 ought to have been filed before the same Court which has imposed the conditions.

2. In view of the same, the learned Counsel for the applicants seeks leave to withdraw this application with liberty to file an appropriate application seeking modification of Condition No. (ii) passed below

Exhibit 1 in Bail Application No. 19 of 2016 vide order dated 17th February, 2016 before the learned Additional Sessions Judge, Khed.

3. If an application seeking modification of the said condition is filed, the learned Sessions Judge shall decide the same as expeditiously as possible, on its own merits, uninfluenced by the withdrawal of this application.

4. Accordingly, application is disposed of as withdrawn with liberty as prayed.

REVATI MOHITE DERE, J.