

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 268 OF 2015

Goldie Sud. ... Petitioner.
Versus
The State of Maharashtra & ors. ... Respondents.

Mr. Goldie Sud, party-in-person.

Mr. Deepak Sharma, advocate for respondent No. 2.

Ms. A.T. Javeri, APP for State.

CORAM : RAVINDRA V.GHUGE, J
DATE : JULY 13, 2016

P.C.:

1 On 12/7/2016, this Court had passed following order :

“1 This matter was heard for some time.

2 The Petitioner in person Mr. Sud submits that if this petition is allowed by consent and the non-bailable warrant issued by the earlier court i.e. Metropolitan Magistrate, 53rd Court at Mumbai vide order dated 13th June, 2011 in C.C. No. 326/SS/2010 is set aside, he would appear in the said proceedings, which have now been transferred to the Metropolitan Magistrate, 30th Court at Kurla in C.C. No.

39/SS/2016 without prejudice to any of his rights, on 1st August, 2016, on which date the matter has been posted.

3 In response to this suggestion, the learned advocate for the respondent No. 2 submits that the second respondent is agreeable and this petition can be allowed by consent, on the condition that the petitioner in person shall file an affidavit in support of the statement that he would appear before the Court.

4 Mr. Sud prays for a day's time, to get the affidavit sworn that would be filed in this proceeding.

5 By consent of the parties, stand over to 13/7/2016 at 3 p.m.”

2 The petitioner-in-person has accordingly, filed an undertaking before this Court dated 12/7/2016, which is marked as Exh. “X” for identification. Copy of Exh. “X” has been given to the learned advocate for respondent No. 2.

3 In the light of the above, since the Petitioner-in-person states on oath that he would be appearing before the learned Metropolitan Magistrate, 30th Court, Kurla, Mumbai in C.C. No. 39/SS/2016 on

1/8/2016, this petition is partly allowed in terms of prayer clause (a) by consent.

4 The learned advocate for the respondent graciously submits that since the petitioner-in-person desires a copy of the complaint, which is pending before the learned Magistrate, he would be supplied with such a copy.

5 Needless to state, all the rights and contentions of the litigating sides are kept open in connection with C.C. No. 39/SS/2016.

(RAVINDRA V.GHUGE, J)