

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.100 OF 2016

Mark Joseph Gomes & Anr.

...Applicants

Versus

Don Carlos Joseph Farnandes & Anr.

...Respondents

.....

Mr. Jayesh Bhatt for the Applicants.

Mr. J.H. Ramugade, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 2nd MARCH, 2016.

P. C. :

By this application, filed under section 482 of the criminal procedure code, the aforesaid Applicants have challenged the order dated 10.1.2012 in CC No.157/SS/2012, whereby the learned Metropolitan Magistrate, 66th Court, Andheri has issued process for offences punishable under sections 385, 504, 506 r/w. 34 of the IPC, passed by the learned Metropolitan Magistrate, 66th Court, Andheri, in Case No.157/SS/2012. The Applicants has also sought permission to travel abroad.

2. The learned counsel for the Applicants, under instructions submits that he does not wish to the order dated 10.1.2012. He has

further submitted that the Applicants have filed an application before the learned Metropolitan Magistrate, 66th Court, Andheri, to permit them to travel abroad and the said application is pending since last four months. The learned counsel for the Applicants submits that since both the accused are senior citizens, the learned Metropolitan Magistrate be directed to dispose of the said application as expeditiously as possible.

3. In the light of above statements, prayer (a) is dismissed as not preferred. The learned Metropolitan Magistrate, 66th Court, at Andheri, is directed to dispose of the application dated 3.11.2015, filed by the Applicants seeking permission to travel abroad, as expeditiously as possible and in any event, within a period of one month from the date of receipt of this order.

(ANUJA PRABHUDESSAI, J.)