

sas

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.132 OF 2016
WITH
CRIMINAL APPLICATION NO.456 OF 2016**

Dilip Chhajed and Anr. ..Applicants.
V/s.

State of Maharashtra and Anr. ..Respondents.

Mr.Pratik M.Thakker i/b. Dewani Asso. for the applicants.

Mr.K.V. Saste, APP for respondent No.1.

Mr.Omkar Bade i/b. M/s.Desai & Dewani for respondent No.2.

**CORAM : A.S.OKA AND
A.A.SAYED, JJ.**

DATED : 21ST OCTOBER, 2016

P.C. :-

1. Criminal Application No.456 of 2016 is taken out by the applicant in the main Criminal Application No.132 of 2016 seeking permission to withdraw the application with liberty as prayed in the prayer clause. The said prayer is made in the light of the statement made in paragraph 8 of the said application. The learned APP states that the original complainant has filed a petition in this Court for challenging the transfer of the case to the Economic Offences Wing for reinvestigation and that the said petition is pending.

2. In view of the statement made by the applicants in Criminal Application No.456 of the 2016, we permit applicants in Criminal Application No.132 of 2016 to withdraw the same with liberty as prayed for in the prayer made in Criminal Application No.456 of 2016. Order accordingly.

3. In the event, the order of transfer of the case to the Economic Offences Wing for reinvestigation is set aside by this Court, needless to add that the applicants will be entitled to apply for revival of the main Criminal Application.

4. The Criminal Application No.456 of 2016 also stands disposed of in terms of this order.

(A.A.SAYED, J.)

(A.S.OKA J.)