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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 355 OF 2016

Dr. Leo Rebello ... Applicant
Vs.
The State of Maharashtra & Ors. ... Respondents

Mrs. Kashmira L. Rebello, wife of the Applicant.

CORAM : V. M. KANADE, &
M. S. SONAK, JJ.

DATE : JUNE 13, 2016

PC.

1. An application is filed on behalf of the contemnor by his wife – Mrs. Kashmira L. Rebello at 5.00 p. m. today. She has stated that he has given unconditional apology. It is submitted that impugned order dated 29th February, 2016 may be withdrawn.

2. We are afraid that it would not be possible to withdraw the said order, since the Court has become *functus officio* and the only remedy which is available for him is to challenge the said order in the Apex Court. So far as the apology is concerned, we are of the view

that the contemnor / applicant is not sincere, taking into consideration the averments made in the criminal application. Hence, the request for accepting the unconditional apology and the for withdrawal of the said order cannot be granted.

Sd/-
[M. S. SONAK, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath