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

**CRIMINAL APPLICATION NO.407 OF 2016
(THROUGH POST)**

Rajkumar Gaurayyu Kalimat

...Applicant

Versus

The State of Maharashtra

...Respondent

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

PSI – D.B.Ghorpade, Cuffe Parade Police Station.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th NOVEMBER, 2016

P.C. :

1. This is an application filed by the applicant through post seeking his discharge under Section 167(5) of the Code of Criminal Procedure, as charge-sheet was not filed within the stipulated period.

2. Learned APP on instructions of the Investigating Officer, who is present in Court states, that the present application has become infructuous and will not survive as the applicant has been enlarged on bail under Section 167(5) of the Code of Criminal Procedure, as the charge-sheet in the said case was not filed within the stipulated period.

3. The application is accordingly disposed of as infructuous.

REVATI MOHITE DERE, J.