

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2363 OF 2016

M/s. Global Exim through
Authorised Representative
Piyush Thakkar.

... Petitioner.

Versus

The State of Maharashtra & ors.

... Respondents.

Mr. Girish R. Agrawal, advocate for petitioner.

Mrs. A.A. Mane, APP for State.

CORAM : SMT. SADHANA S. JADHAV, J
DATE : JULY 19, 2016

P.C.:

1 Not on board. Upon production taken on board.

2 Heard the learned Counsel for the Petitioner. Learned APP
waives service.

3 Rule. Rule made returnable forthwith with the consent of the parties.

4 The learned Counsel for the Petitioner has drawn attention of this Court to the order passed by the Metropolitan Magistrate, 56th Court, Mazgaon, Mumbai dated 13/4/2006, wherein an application filed by the original accused No. 1 seeking the relief of recalling witness and to lead additional defence evidence.

5 It appears that the original accused No. 2 has appeared as an authorised representative and responsible person of accused No. 1 company and signed the plea at Exh. 10 on behalf of the accused No. 1. The company was represented by accused No. 2 as well. However, at the fag end of the trial, the accused has filed an application submitting therein that he was not duly authorised to represent the company. The learned Magistrate has rejected the said application.

6 Being aggrieved by the said order, the accused had filed revision application No. 536 of 2016. The learned Revisional Court vide order dated 27/4/2016 has admitted the revision application and has granted interim relief in terms of prayer clause (d), thereby staying the proceedings.

7 It is a matter of record that the main revision application is pending. The learned Counsel for the petitioner submits that the case is of the year 2012 and hence, it would cause prejudice to the original complainant. The learned Counsel submits that the revision application is posted for hearing on 29/7/2016.

8 In view of this, the learned Revisional Court is requested to make an endeavour to conclude hearing and decide the Revision

Application No. 536/2016 on 29/7/2016 or within 3 weeks thereafter. With this direction, the Petition stands disposed of.

9 Rule is discharged accordingly.

(SMT. SADHANA S. JADHAV, J)