

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 345 OF 2016
IN
CRIMINAL WRIT PETITION NO. 4847 OF 2015

Varashree Narayan

.....Applicant

V/s.

State of Maharashtra and another

....Respondents

Varashree Narayan Applicant in person

Mrs. A. A. Mane APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : AUGUST 9, 2016.

PC :

Not on board. Upon production, taken on board.

1) Applicant has appeared in person. By this Application, the Applicant is seeking stay to the operation and execution of the order dated 13/07/2016 passed by this Court (Coram: Ravindra V. Ghuge, J.). It appears from the order that the same was passed after hearing the respective counsel at length.

In para 24, it is observed as follows:

“The petitioner shall deposit costs of Rs.5,000/- (Rupees five thousand only) before the Court below within four weeks from today. Extension of time would not be granted. On depositing the said costs, the accused shall be at liberty to withdraw the said amount without condition”.

2) Applicant submits that she desires to challenge the said order dated 13/07/2016 before the Hon'ble Apex Court and has approached the Legal Services Committee, Supreme Court. The Legal Services Committee has assigned the matter to Advocate Ms. E. R. Sumathy. Applicant submits that she was advised by the Advocate appointed for her to obtain stay to the order dated 13/07/2016 urgently and also stay on the Trial Court proceedings as she required sometime to approach the Hon'ble Apex Court.

3) Upon perusal of the order, it appears that the Applicant/Petitioner had filed Criminal Writ Petition No. 4847 of 2015, through Advocate Mr. Abhaykumar Apte. The learned counsel was heard at length. It appears from the order that no oral request was made before Hon'ble Justice Ravindra V. Ghuge to stay the order in order to enable the Petitioner to challenge the same before the Hon'ble Apex Court.

4) The predecessor Bench has passed final order and the petition has been disposed of. By virtue of judicial propriety, the said order cannot be interfered

with or stayed by this Court. It is in these circumstances that the prayer of staying the trial and stay of the operation of the order dated 13/07/2016 is refused. The Applicant/Petitioner would be at liberty to take appropriate steps before the Hon'ble Apex Court.

5) Application stands rejected.

(SMT. SADHANA S. JADHAV, J.)