

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.415 OF 2015**

Dahyaji Gobarji Vanzara,
Aged 61 years, Occ: Retired IPS
Officer, R/o. Gurukrupa Apartment,
Plot No.20, Sector 19, Gandhinagar,
Gujarat and present staying at 801,
Solitaire Heights, Shivaji Nagar,
Vakola, Santacruz (E), Mumbai.

...Applicant

Versus

1. The Central Bureau of
Investigation, Mumbai
2.The State of Maharashtra

...Respondents

.....

Mr. Sanjeev Punalekar with Mr. Arjun Shilwant for the
Applicant.

Mr. S.K. Shinde, P.P. with Mr. Y.M. Nakhwa, Additional P.P. for
C.B.I.

Mr. J.H. Ramugade, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

**ORDER RESERVED ON : 17th OCTOBER, 2015.
ORDER PRONOUNCED ON: 28th MARCH, 2016.**

ORAL ORDER:

The Applicant herein, who is accused No.1 has challenged
the impugned order dated 28.7.2015 in Sessions Case No. 177 of 2013
@ 178 of 2013 @ 577 of 2013 @ 312 of 2014 whereby the learned
Judge has dismissed the application filed by the accused No.2, to drop

PW 105- Nathuba Jadeja and PW 106 Gurudayalsingh Chaudhary as prosecution witnesses and to array them as accused in the said sessions case.

2. Heard Mr. Punalekar, the learned counsel for the Applicant and Mr. S.K. Shinde, learned Public Prosecutor for the C.B.I.

3. By the impugned order dated 28.7.2015, the learned Sessions Judge has dismissed the application filed by the accused No.2 under section 193 r/w. section 319 of the Cr.P.C. The Applicant herein had not invoked the jurisdiction of the Sessions Court either under section 193 or 319 of the Cr.P.C. Moreover said order dated 28.7.2015 is already challenged by accused No.2 in Criminal Revision Application No.363 of 2015.

4. Considering this aspect, the Applicant in my considered view has no legal right to raise any grievance or invoke the revisional powers of the Court under section 397 of the Cr.P.C. Hence, the application is dismissed.

(ANUJA PRABHUDESSAI, J.)