

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.994 OF 2014

Mrs. Mamta Kadam. .. Applicant.
Vs
The State of Maharashtra and Another. .. Respondent
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Shri Rajendra Sorankar for the Applicant.
Ms. M.H. Mhatre, APP for the Respondent No.1.
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CORAM : A.S. OKA & A.A. SAYED, JJ
DATED : 7TH JULY 2016

P.C.

1. The learned APP on instructions states that the police have filed a report before the learned Metropolitan Magistrate claiming "B" Summary. She states that the report claiming "B" Summary was filed in March 2015. The learned counsel appearing for the Applicant complains that no order is passed by the learned Metropolitan Magistrate on the said report.

2. In view of the filing of "B" Summary, we need not keep the Application pending and we pass the following order.

ORDER :

- (a) We direct the learned Metropolitan Magistrate, 10th Court, Andheri, Mumbai, to pass an appropriate order in accordance with law on the “B” Summary report filed by the police as expeditiously as possible;
- (b) In the event the learned Metropolitan Magistrate rejects the “B” Summary Report, it will be open for the Applicant to file a fresh Petition/Application in this Court for claiming the relief which is claimed in this Application;
- (c) Application is disposed of.
- (d) All contentions on merits are kept open.

(A.A. SAYED, J)

(A.S. OKA, J)