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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.4827 OF 2015

Mahadev Eknath Shinde

..Petitioner.

V/s.

Dy. Commissioner of Police Zone-IV, Pune and Anr.

..Respondents.

None for the petitioner.

Mrs.S.D.Shinde, APP for respondent-State.

**CORAM : NARESH H.PATIL AND
A.M.BADAR, JJ.**

DATED : 6TH APRIL, 2016

P.C. :-

1. Learned APP has placed on record a copy of the order dated 9th November, 2015 passed by Divisional Commissioner, Pune in Appeal No.EA-104/2015 in the matter of Mahadev Eknath Shinde V/s. Deputy Commissioner of Police, Pune and others.

2. Learned APP submits that on 25th January, 2016 on the basis of wrong instructions given by the officer Mr.Holkar, A.S.I. Yerwada police station, Pune, a statement was made by the prosecution that the order annexed at Exhibit-C, page 19

of the paper-book was the only order and there was no other order passed by the Divisional Commissioner. Learned APP has referred to the communication made by the Commissioner of Police, Pune Division, Pune dated 5th March, 2016 addressed to the Registrar (Judicial-II), High Court, Bombay which is placed on record. APP further submits that inadvertently, a mistake has occurred which is required to be corrected now. She submitted that the externment period was already over. Learned APP has also placed on record statement of the petitioner wherein he stated that he does not want to prosecute the writ petition. The said papers are taken on record and marked 'X' for identification.

3. The learned APP submits that order dated 25th January, 2016 passed by this Court needs review / modification.

4. Registry (Judicial) to take necessary steps to place this petition before the Division Bench consisting of Justice Ranjit More and S.C.Gupte, JJ for necessary orders.

(A.M.BADAR, J.)

(NARESH H.PATIL, J.)