

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

913 CRIMINAL APPLICATION NO. 2094 OF 2017

POONAM ASHOK MANDLIK

V E R S U S

THE STATE OF MAHARASHTRA & ANR.

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Mr. Satej S.Jadhav, Advocate for Applicant.

Mr. G.O.Wattamwar, A.P.P. for R – 1 – State.

Mr. P.S.Dighe, Advocate for R – 2.

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CORAM : V.L.ACHLIYA, J.

DATE : 12th JULY, 2017

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ORDER :

1. Learned counsel for the applicant seeks to withdraw the application along with Appeal preferred challenging the impugned Judgment and order of acquittal passed by the Assistant Sessions Judge, Shrirampur in order to present the Appeal before the Court of Additional Sessions Judge, Shrirampur within the session division of Ahmednagar. He submits that the Appeal was preferred under the belief that Appeal against acquittal lies before this Court. He seeks to withdraw the application and

Appeal with liberty to file Appeal before the appropriate Court. Leave granted as prayed for.

2. In case such Appeal is presented before the appropriate Court and if it is found that there is delay in presenting Appeal, then the concern Court may take into consideration the delay in filing such application due to reason that the applicant was prosecuting the remedy before the another forum.

3. The application along with Appeal stands disposed of in above terms.

[V.L.ACHLIYA, J.]