

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 223 OF 2017

M/s. Facor Steels Ltd. & ors.

... Applicants

V/s.

M/s. Madhur Engineers Pvt. Ltd. & anr.

... Respondents

...

Ms. Akanksha Helaskar a/w. Mr. Pushkaraj Deshpande i/b. Dewani And Associates for the applicants.

Mr. Satyavrat Joshi i/b. Vidhii Partners for respondent no.1.

Mr. V. B. Konde-Deshmukh, APP for the State.

...

CORAM : SMT. SADHANA S. JADHAV, J.

DATE : 20th APRIL, 2017.

P.C. :

. Learned counsel for the applicants upon instruction seeks liberty to withdraw the application. Liberty as prayed for is granted in the interest of justice with further liberty to avail of the alternative, efficacious alternate remedy by filing a revision application.

2. It is made clear that pendency of this petition shall not be construed as a stay to the proceedings in Regular Criminal Case No.1143 of 2016 pending before the Judicial Magistrate First Class, Pimpari, District Pune.

3. The revisional Court shall take it into consideration the time spent in prosecuting the present petition while considering the application seeking condonation of delay.

4. In the meanwhile, the learned Magistrate to proceed with further stages of proceedings pending before it.
5. The present Criminal Application is dismissed as withdrawn.
6. Office to communicate this order to the concerned Court forthwith.

(SMT. SADHANA S. JADHAV, J.)