

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 960 OF 2016

Akhtar Nurul Haq Rine and Ors

.....Applicants

V/s.

The State of Maharashtra

....Respondent

Mr. Shirish Gupte, senior counsel i/b Ms. Supriya Kak
Advocate for the Applicant.

Mr. Nitin Satpute, Special P.P.

Ms. Shilpa Gajre/Dhumal a/w Advocate Sagar
Mohite for complainant.

Ms. P. P. Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 1st MARCH, 2017.

PC :

1) The learned senior counsel seeks liberty to withdraw the application. Liberty as prayed for is granted in the interest of justice. It is made clear that the application has not been heard on merits. Application stands dismissed as withdrawn.

2) The learned senior counsel submits that as per the amendment to Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, an

ism

appeal would lie against the impugned order. The learned senior counsel, upon instructions submits that the applicant is likely to file appeal within one week. Hence, interim relief shall continue for a period of one week.

3) The learned Special PP submits that applicant does not deserve interim relief after he has withdrawn the application.

4) It is a matter of record that the interim relief was granted in favour of the applicant by an order dated 09/06/2016. Hence, it would not be proper to vacate the interim relief when the applicant seeks liberty to file an appeal. Interim relief is extended only for a period of one week and during that period, if the appeal is not heard, interim relief would be deemed to be vacated automatically.

(SMT. SADHANA S. JADHAV, J.)