

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 589 OF 2017
IN
CRIMINAL APPLICATION NO. 1024 OF 2016

Shri Anant Nilkanth Mate ...Applicant
versus
The Senior Police Inspector,
Vishrambag Police Station, Pune and ors.Respondents

Mr. D. P. Adsule, advocate for the applicant.
Mrs. A. S. Pai, APP for the State.
Ms. Shubhra Paranjape i/b. Mr. Pralhad D. Paranjape, advocate for the
respondent No.5.

**CORAM : RANJIT MORE &
SARANG V. KOTWAL, JJ.**

DATE : 26th JULY, 2017.

P. C. :

The criminal application is filed for restoration of the criminal application No. 1024 of 2016. The said criminal application was placed for admission on 21st October, 2016, when this Court passed the following order :

- "1. Not on board. Taken on board.*
- 2. Heard the learned counsel appearing for the applicant and the learned APP for the first to fourth respondents. We direct the petitioner to implead the first informant as party respondent No.5. If necessary amendment is not carried out within two weeks from the date from which the order is uploaded, the application shall stand dismissed without further reference to the Court.*

3. *If amendment is carried out, issue notice to the added respondent, returnable on 14th December, 2016. In addition to Court notice, advocate for the applicant to serve private notice along with an authenticated copy of this order. If proper affidavit of service is not filed on or before 1st December, 2016, the application shall dismissed without further reference to the Court.*

4. *By way of interim interim relief, we direct that the investigation shall continue but the charge-sheet shall not been filed against the applicant till the next date."*

2. Mr. Adsule, learned counsel for the applicant, stated that the above order was complied by the applicant. He relied upon the document at "Exhibit D"5 in support of his submission. Despite this, the application was dismissed for non-prosecution.

3. Ms.Paranjape, learned counsel for the respondent No.5, stated that she has filed an appearance on behalf of the respondent No.5 on 14th December, 2016. She does not dispute the facts stated hereinabove.

4. In the light of the above, the criminal application is allowed in terms of prayer clauses (a) and (b) and is disposed off as such.

(SARANG V. KOTWAL, J.)

[RANJIT MORE, J.]