

Rane

\* 1/2 \* APL-1102-2016 (SR.909)  
Friday, 1.9.2017

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1102 OF 2016

Nikhil Ramrao Avaghade

....Applicant

V/s.

The State of Maharashtra  
and Ors.

....Respondents

\* \* \* \* \*

Mr. Nitin Pradhan i/by. Ms. Shubhada D. Khot, Advocate  
for the applicant.

Mrs. M.M. Deshmukh, Additional Public Prosecutor for  
the State.

**CORAM :-**

**R.M. SAVANT &**

**SANDEEP K. SHINDE, JJ.**

**DATE :-**

**1ST SEPTEMBER, 2017.**

**P.C. :-**

1. By order dated 17<sup>th</sup> January, 2017, a Division Bench of this Court, (A.S. Oka & Smt. Anuja Prabhudesai, JJ) had made it clear that the above application would not be entertained on merits unless the applicant surrenders.

The above application had come up for hearing thereafter before this Bench on 24<sup>th</sup> August, 2017 when it was adjourned for today to enable the Learned Counsel for the applicant to obtain instructions. Today, the Learned Counsel Mr. Pradhan appearing for the applicant, states that inspite of attempts made, no instructions could be obtained from the applicant. Implicit in the said statement, is the fact that, the said order dated 17<sup>th</sup> January, 2017 passed by the Division Bench has not been complied with. In view thereof, the rigours of the order would come into operation. The above Criminal Application would accordingly have to be dismissed on the said ground and is accordingly dismissed.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)