

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3847 OF 2014

Ramesh Nebhraj Grover & Anr. Petitioners

Vs.

The State of Maharashtra & Anr. Respondents

Mr. Sushil Upadhyay i/by Mr. Ashok M. Saraogi
for the Petitioners.

Smt. S.V. Sonawane, APP, for the Respondent-State.

Mr. Diwakar V. Gond i/by Mr. Abhijeet C. Mahadeokar
for Respondent No.2.

CORAM: S.C. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.

DATE : MARCH 31, 2017

P.C:

1. The petition is filed in this Court on 20-9-2014. It was listed on 13-10-2014, for admission. Thereafter, another date was assigned, namely, 27-10-2014. On 27-10-2014, the petition was placed before a Division Bench of this Court and notice before admission was issued, returnable on 8-12-2014. Since then, though notice has been issued and the matter was ready for admission, it is reported that Mr. Saraogi has not been

receiving any instructions from the petitioners.

2. The petition seeks quashing of FIR No.67 of 2014, registered at Versova Police Station, Mumbai alleging offences punishable under Sections 406, 420 and 34 of the IPC, so also Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999. If Mr. Saraogi has not been receiving instructions and for the past nearly two-and-half years, nothing prevented him from withdrawing his appearance. We, therefore, made it clear yesterday and today that we do not countenance any request for withdrawal of appearance of Mr. Saraogi, and orally made when the petition was called out for admission.

3. Since the writ petition is pending in this Court for nearly three years and the petitioners are not interested in seeking any relief, we have no alternative but to dismiss the petition for want of prosecution. It is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(S.C. DHARMADHIKARI, J.)