

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CRIMINAL JURISDICTION****CRIMINAL WRIT PETITION NO.3637 OF 2016**

Mr. Arvind Jayprakash Chandragiri	... Petitioner
Versus	
State of Maharashtra and anr.	... Respondents/ Org. Complainant

Mr.Ravindra Bajirao Mungekar, Advocate for the Petitioner.

Ms. Pallavi Dabholkar, APP for the State/Respondent No.1.

Mr.Prasad Pathare, Advocate for Respondent No.2.

CORAM : R.V.GHUGE, J.

DATE : 14 MARCH, 2017.

P.C. :

1. The Petitioner before this Court is aggrieved by order dated 15th February, 2016 passed by the learned Metropolitan Magistrate, 21st Court, Bandra issuing a proclamation under Section 82 of Cr.P.C. against the Petitioner in CC No. 3846/SS/2014.

2. It is frankly stated that the Petitioner has moved an application on 19th January, 2017 after appearing before the Trial Court for seeking the recalling of order dated 15th

February, 2016.

3. Learned Advocate for Respondent No. 2-original complainant submits that a reply to an application would be filed.

4. I find that since the application dated 19th January, 2017 has been filed for recalling the order dated 15th February, 2016, ends of justice would be met by directing the Trial Court to decide the application expeditiously keeping in view that the immovable property of the Petitioner has been attached though, according to him it was only the movable property that was addition.

5. Considering the above, this Petition is disposed by directing Respondent No. 2 to file its reply on or before 24th March, 2017 before the Trial Court and supply a copy to the Petitioner in advance. The approaching date before the Trial Court is stated to be 30th March, 2017. The Trial Court shall hear the learned Advocates for the respective sides on the application and thereafter, endeavour to pass an order as expeditiously as possible and preferably within three weeks.

6. Needless to state all the contentions of the respective sides are kept open to be considered on their merit.

(R.V.GHUGE, J.)