

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 469 OF 2017

(SHIVAJI SAINU GOTA...VS.. STATE OF MAH. THR. P.S.O. PS ETAPALLI, TAH-ETAPALLI.
DIST.GADCHIROLI.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S. V. Sirpurkar Advocate h/f. Shri. Suyash R. Agrawal,
Advocate for Applicant.
Shri T. A. Mirza, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 3rd JULY, 2017.

Heard.

The learned advocate for the applicant states that charge-sheet is not filed even though the applicant is in custody for more than 90 days, however, on the 89th day, the Investigating Agency has moved an application before the Sessions Court stating that the provisions of Unlawful Activities (Prevention) Act, 1967, is being invoked against the applicant as there is material to show that offence punishable under that Act is committed by the applicant and seeking extension of time for filing the charge-sheet. The Sessions Court has granted extension of 30 days to the Investigating Agency to file the charge-sheet.

The learned advocate for the applicant seeks permission to withdraw the application with liberty to file appropriate proceedings, including proceedings to challenge the order passed by the Sessions Court granting extension of

30 days to the Investigating Agency to file the charge-sheet.

The application is **dismissed** as withdrawn with liberty as prayed for.

JUDGE

PBP