

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPEAL NO.654 OF 2006**

(Nirmala Bhatnagar Vs. Prakash Chandra Makhe)

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

*Court's or Judge's orders.*

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Shri Nitin Lalwani, Advocate for Appellant.

**CORAM: ROHIT B. DEO, J.**

**DATE: 6<sup>th</sup> DECEMBER, 2017.**

Shri Lalwani, the learned counsel states that the appellant who is about 90 years old is communicating with him through her daughter.

The learned counsel Shri Lalwani states that the daughter of the complainant has handed over to him a praecipe which bears the thumb impression of the complainant, which is to the effect that the appellant is not desirous of prosecuting the appeal.

The praecipe is taken on record.

I have no reason not to accept the statement of the daughter of the appellant, who has communicated to the learned counsel that the appellant is not interested in prosecuting the appeal.

In view of the praecipe filed on record, the appellant is permitted to withdraw the appeal.

Let a copy of this order be sent to the appellant, by the Registry of this court.

If the appellant has any grievance about the praecipe which her daughter has handed over to the learned counsel for being produced before this court, she is free to apply for restoration of the appeal. Subject to what is stated above, the appeal is disposed of as withdrawn.

**JUDGE**

NSN