

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION (BA) NO. 837 OF 2017**

(Pramod S/o Linbanna Bamrotwar..vs..State of Maharashtra, through
PSO.PS.Ambazari,Nagpur)

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

Court's or Judge's orders.

Shri S.K.Mishra, Senior Advocate assisted by Shri
N.R.Tekade, Advocate for applicant.
Shri R.S.Nayak, A.P.P. for State-non-applicant.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 8, 2017

Heard Shri S.K.Mishra, learned senior counsel for the applicant. The learned senior counsel at the threshold invited my attention to the order passed by this Court (Coram:Z.A.Haq.J) on 8/6/2017 in Criminal Application (BA) No.483/2017 filed by the present applicant. The reading of the said shows that on earlier occasion this Court allowed the applicant to withdraw the said bail application with a liberty to file bail application after filing of the additional chargesheet.

The learned senior counsel in his fairness has submitted that after this order dated 8/6/2017 and after presentation of the additional chargesheet the applicant has not approached to the Sessions Court, therefore he submit that in view of the judicial propriety he would like to approach before the Sessions Court. Therefore, he submits that permission be granted to the present applicant to withdraw the present application to enable the applicant to file application before the learned Sessions Court.

Permission is granted.

If the application for bail is filed by the applicant within a period of one week from today before the learned Sessions Court, since the bail application is concerned with the personal liberty of a citizen it is expected from the learned Sessions Court which shall be dealing with such application filed on behalf of the present applicant to dispose of as expeditiously as possible and in any case it should be disposed of within a period of three weeks. It is also expected from the prosecuting agency to extend full cooperation to learned Sessions Judge for early disposal.

It is made clear that this Court has not heard the learned senior counsel for the applicant on merit at all, nor this Court has applied its mind to the merits of the matter.

With these observations the applicant is permitted to withdraw the application as prayed.

JUDGE