

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 166 OF 2018**

Arun Kumar Sharma & Ors.	.. Appellants
V/s	
The State of Maharashtra	.. Respondent

WITH

**CRIMINAL APPLICATION NO. 464 OF 2018
IN
CRIMINAL APPEAL NO. 166 OF 2018**

Pankaj Ramnaresh Saraf	.. Applicant
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In the matter between:

Arun Kumar Sharma & Ors.	.. Appellants
V/s	
The State of Maharashtra	.. Respondent

Mr. Murtuza Nazmi i/b Mr. Dilip H. Shukla for the appellants.
Mr. Avinash B. Avhad, Special PP with Ms. M.H. Mhare, APP for the State.
Mr. Sandeep Karnik for the applicant in APPA No. 464 of 2018.

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

DATE : 5TH APRIL 2018

P.C.:

By this appeal, the appellants challenge the order dated 30th January 2018 on Misc. Application No. 1555 of 2017.

2. During the course of arguments, it was brought to our notice that Misc. Application No. 378 of 2016 in which Misc. Application No. 1555 of 2017 was made, is still pending. In such circumstances, both sides agree that the present appeal can be disposed of with a direction to the Special Judge to take up and decide the Misc. Application No. 378 of 2016 as expeditiously as possible and pass final orders thereon within a period of four weeks from the date of communication of this order.

3. In the event Misc. Application No. 378 of 2016 is not disposed of within the time directed by this Court, liberty is granted to the applicant to revive his request for grant of interim relief. That application then will be decided on its own merits and in accordance with law uninfluenced by the observations in the impugned order.

4. We clarify that we have not expressed any opinion on the rival contentions.

5. The Criminal Appeal is disposed of with the aforesaid directions.

6. In view of disposal of the Appeal, Criminal Application No. 464 of 2018 does not survive and is disposed of.

(PRAKASH D. NAIK, J.)

(S.C. DHARMADHIKARI, J.)