

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.1914 OF 2018

Pradeep Radheshyam Vyas

..Petitioner

vs.

The State of Maharashtra & Ors.

...Respondents

Ms. Pooja Thorat i/b M/s. Ruchita Patel for the Petitioner.

Smt. A.S. Pai, APP for the Respondents.

**CORAM : B. P. DHARMADHIKARI &
SARANG VIJAYKUMAR KOTWAL, JJ.**

DATE : 19/11/2018.

P.C.:

. Heard learned counsel for the petitioner and learned APP for Respondent Nos.1 and 3.

2. The submission of learned counsel for the petitioner is that if directions issued by the Gujarat High Court are to be fully implemented, the grievance made by the petitioner in his application should be first considered.

3. During hearing, we find that the petitioner claims filing of two reports under section 169 of Cr.P.C. before Trial Court and also contends that these reports are in favour of the petitioner. Learned counsel submits that the moment these reports are accepted, the petitioner would be left with no connection with the trial and, hence, execution of directions issued by Gujarat High Court would be defeated.

4. We find that the effort of learned counsel for the petitioner is

to urge that the application moved by the petitioner must be first looked into.

5. Learned APP submits that earlier report under section 169 of Cr.P.C. came to be withdrawn on 8/6/2015 and thereafter second report is filed on 19/11/2017. The said report is still under consideration.

6. As the report is still under consideration, by keeping open all contentions of the petitioner and with liberty to the petitioner to approach again if any cause of action arises, we dispose of the petition.

(SARANG VIJAYKUMAR KOTWAL, J.) (B. P. DHARMADHIKARI, J.)