

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 639 OF 2018
IN
CRIMINAL APPLICATION NO. 616 OF 2016
WITH
CRIMINAL APPLICATION NO. 616 OF 2016**

Rajkumar Nandkishore Jha	...Applicant
Versus	
State of Maharashtra & Anr.	...Respondents

Mr. Subhash Jha a/w Mr. Siddharth Jhan, Mr. Harekrishna Mishra i/b Law
Global for the Applicant

Mr. K. V. Saste, A.P.P for the Respondent-State

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
TUESDAY, 19th JUNE, 2018***

P.C. :

1 The above Application (Criminal Application No. 639 of 2018)
has been filed for modification of the order dated 11th July 2016 passed in
Criminal Application No. 616 of 2016 by a Division Bench of this Court
(Coram: Naresh H. Patil and Prakash D. Naik, JJ.).

2 By the said order, the above Criminal Application No. 616 of
2016 was adjourned *sine-die*, pending the consideration of Protest Petition

against the `C' Summary report filed by the investigating agency. The aforesaid relief is sought on the ground that the learned Metropolitan Magistrate, 53rd Court, Mulund, Mumbai, has, by her order dated 16th November 2016, directed further investigation.

3 In view of the said order dated 16th November 2016, the factual basis has undergone a change. Hence, the order dated 11th July 2016 adjourning the Application No. 616 of 2016 *sine-die*, is required to be recalled.

4 Criminal Application No. 639 of 2018 is accordingly allowed.

5 List the Criminal Application No. 616 of 2016 for admission on 3rd July 2018.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.