

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

SUO MOTU REVISION APPLICATION NO.11 OF 2015

High Court on its Own Motion

.. Applicant

Vs.

Shankar Shripati Pawar & Ors.

.. Respondents

.....

Mr.Swapnil S. Pednekar, APP for State.

Mr.Swaroop Karade i/b. Mr.Surel S. Shah, Advocate for
Respondent Nos.1 to 4.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 20, 2018.

P.C. :

This application is placed on Board by the Registry in
view of the order dated 20th July, 2017.

2 Pursuant to the administrative order dated 19th
March, 2015, this matter was registered as Suo Motu Revision
Application (SMRN) No.11 of 2015. This application was placed
before the Court on 20th July, 2017. This Court vide order dated
20th July, 2017, has directed the Registry to list this application as
Criminal Application No.2400 of 2017 and not as Suo Motu
Revision Application No.11 of 2015.

3 When the aforesaid order was passed, the learned APP made submissions that the application has been wrongly numbered as Suo Motu Criminal Revision. It was also submitted that the State of Maharashtra has preferred substantive Application No.2400 of 2007, seeking leave to file Appeal against the judgment and order of acquittal passed by the learned Judicial Magistrate First Class, Pandharpur dated 9th January, 2007, in Regular Criminal Case No.233 of 2000. In view of the said submission, this Court was pleased to pass the aforesaid order dated 20th July, 2017. Apparently, it was not brought to the notice of the Court that, this Court had disposed of Criminal Application No.2400 of 2007, vide order dated 3rd October, 2007. In the said order, it was observed that the said Appeal was preferred by challenging the order of acquittal passed by the J.M.F.C., Pandharpur and one of the offences charged was under Section 324 of IPC and, hence, the Appeal lies before the Sessions Court. The Registrar (Judicial) was directed to transfer the said application for leave to appeal to the concerned Sessions Court forthwith. Hence, Criminal Application No.2400 of 2007, was not pending in this Court when the aforesaid order was passed.

5 Since Criminal Application No.2400 of 2007, is already disposed of, as nothing survive in this matter, the Assistant Registrar had sought directions from Registrar Judicial (I) to dispose of this application from computer system and send papers to Criminal B Branch for necessary action. The Registrar has approved the said directions. In view of order dated 20th July, 2017, the matter is listed before Court for appropriate directions.

6 In view of aforesaid circumstances, the Registry may take appropriate steps by disposing of aforesaid SMRN No.11 of 2015, from computer system and send papers to concerned branch for necessary action.

(PRAKASH D. NAIK, J.)