

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

CRIMINAL WRIT PETITION NO. 3076 OF 2018

Vithoba Ramchandra Kondwilkar ... Petitioner
Vs.
Moolchand Keshrimal Jain & Ors. ... Respondents

...

Mr. Balwant Parmar I/by Divya Parmar for the Petitioner.
Mr. A.R. Patil, APP for the Respondent-State.

...
CORAM : PRAKASH D. NAIK, J.
DATE : 13th AUGUST, 2018.

P.C.

1. The petitioner had sought only relief in this petition is to expedite the hearing of Criminal Revision Application No. 300 of 2017 pending before the Sessions Court at Dindoshi, Mumbai. The petitioner is the original complainant in private complaint No. 499/SW/2016 pending before the learned Magistrate Court 67, Borivali. The complaint is filed for an offence punishable under Sections 406, 409, 418, 420, 453, 467, 471, 477 r/w 34 of Indian Penal Code. The order of process is challenged by the Respondents by preferring Criminal Revision Application No. 300 of 2017 before the Sessions Court. It is also submitted that other accused approached the Sessions Court by preferring revision application. However, there is delay and hence, application for condonation of delay has been preferred.

2. The learned Additional Sessions Judge has granted interim stay to the proceedings in Criminal Case No. 499/SW/2016 by order dated 25th April, 2018. Learned counsel for the petitioner submits that the petitioner is a senior citizen aged about 68 years. The complaint was filed in the year 2016 and thereafter the process was issued on 24th August, 2017. Learned counsel for the petitioner placed reliance on the decision of Hon'ble Supreme Court in the case of Asian Resurfacing of Road Agency Pvt. Ltd. & Anr. -Vs- Central Bureau of Investigation¹ in support of his submissions.

3. Considering the submissions advanced by the counsel for the applicant, the Sessions Court at Dindoshi, Mumbai is directed to decide the Criminal Revision Application No. 300 of 2017 within a period of eight months from today.

4. The revisional Court shall decide the Criminal Revision Application in accordance with law.

5. Writ Petition stands disposed off.

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(PRAKASH D. NAIK, J.)

1. 2008 (2) Crimes 225 (SC)