

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 850 OF 2018**

Kamini C. Shah

.....Applicant

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. Amit Desai, Senior Advocate I/by Chetan S. Damre for the Applicant.

Ms. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 29th AUGUST, 2018.****P.C.:-**

The present Application is directed against an Order dated 11th May 2018, passed by the learned Additional Chief Metropolitan Magistrate, 5th Court, Dadar, Mumbai, in C.C. No. 265/PS/2016.

2 At the outset, the learned APP raised a preliminary objection and submitted that, there is substantive alternate remedy available at the disposal of the Applicant before the Sessions Court by way of Revision and without availing the same she has directly approached this Court.

3 In view thereof, Mr. Desai, the learned Senior Counsel appearing for the Applicant seeks leave to withdraw the present

Application with liberty to file a substantive Revision before the Sessions Court.

Leave and liberty granted.

4 It is needless to mention that, the Applicant is entitled to claim benefit under Section 14 of the Limitation Act, 1963 for prosecuting the present Application before this Court.

5 Application is disposed off, as withdrawn with aforesaid liberty.

(A.S. GADKARI, J.)

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