

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

CRIMINAL APPLICATION NO. 932 OF 2016

Obaidullah Javed Dalvi .Applicant

Vs.

The State of Maharashtra & anr. .Respondents

Mr. K. Gupta i/b. Legaleye Associates, Advocate, for the Applicant
Mr. Suresh Dubey, Advocate, for the Respondent No. 2

CORAM : REVATI MOHITE DERE, J.

DATE : 04.01.2018

P.C.

. Learned counsel for the Applicant seeks leave to withdraw this Application with liberty to file an appropriate Application i. e. Criminal Revision Application challenging the order issuing summons / process and the complaint, before the Sessions Court. Learned counsel for the Respondent No. 2 on instructions states that he will not oppose the delay caused in filing the said Cri. Revision Application, if the same is filed by the Applicant. Statement accepted.

2. Accordingly, the Application is disposed of as withdrawn with liberty as prayed. It is made clear, that this Court has not

considered this Application on merits and if an Application i. e. Cri. Revision Application challenging the order issuing summons / process and the complaint is filed within two weeks from today, the Revisional Court shall decide the same on its own merits uninfluenced by the withdrawal of this Application. Similarly, if a delay condonation Application is filed, the learned Judge shall take into consideration the pendency of the aforesaid Application in this Court as well as the statement made by the learned counsel for the Respondent No. 2 and accordingly pass appropriate orders.

3. The Application is disposed of in the aforesaid terms.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)