

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

CRIMINAL APPLICATION NO. 472 OF 2017

Dipti Saroj KaleApplicant
V/s.
Rohit Deepak Tilak & Anr.Respondents

Mr. Subhash Zaha a/w. Rajesh More I/b. Vikas Kolekar for the applicant.

Ms. Neha Bhide for respondent no.1.

Mr. S.H. Yadav, APP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 26th OCTOBER, 2018.**

P.C.:

. After arguing the matter at length, Mr. Subhash Zaha, learned counsel for the applicant seeks leave to withdraw the application. He further submits that the Trial Court may get influenced by the observation made by the Sessions Court whilst deciding the matter on merits.

2. Leave is granted. Application is dismissed as withdrawn. Suffice it to say that the observations made whilst deciding the application for bail are always prima facie and not on the merits of the matter. Hence, the Trial Court is directed to dispose of the case on its own merits without getting influenced by the observations in the order dated 10/08/2017 passed by the Additional Sessions Judge, Pune.

(SMT. ANUJA PRABHUDESSAI, J.)