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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1060 OF 2017

Mrs. Urvashi Deepak Bathija ..Applicant.

V/s.

The Senior Inspector of Police & Ors. ..Respondents.

Mr.Rizwan Merchant with Mr.Swapnil Wagh i/b. Rizwan Merchant
& Associates for the applicant.

Mrs.M.R.Tidke, APP for the respondent-State.

Mr.Jaideep Lele for respondent Nos.2 & 3.

CORAM: NITIN W.SAMBRE, J.

DATE : MARCH 14, 2018

PC:-

The learned counsel for the applicant, in view of the law laid down by the Apex Court in the matter of *State of Gujarat V/s. Girish Radhakrishnan Varde*¹, particularly the observations in para 15 makes a motion for withdrawal of the present application with liberty to bring to the notice of the learned PP appearing in the said case in which the order dated July 24, 2017 is passed by

¹ (2014) 3 Supreme Court 659

the learned Magistrate. He shall also bring to the notice of the learned PP of exclusion of section 467 of the Indian Penal Code in the order dated July 24, 2017.

2. The application is dismissed as withdrawn with the liberty as prayed.

3. Liberty to the applicant to approach this Court in case in revision at the time of framing of charge for offence punishable 467 under section of the Indian Penal Code. Liberty to bring this order to the notice of the revisional Court in Criminal Revision Application Nos.953 of 2017 and 954 of 2017 where the proceedings is filed at the behest of the accused.

(NITIN W.SAMBRE, J.)