

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

**CRIMINAL APPLICATION NO.999 OF 2016
IN
CRIMINAL APPLICATION NO.2851 OF 2008**

Priyesh Bheda

**.. Applicant
(Orig. Accused)**

Vs.

The State of Maharashtra & Anr.

**.. Respondents
(Orig. Complainant)**

**Mr.Priyesh Bheda, Applicant in person present.
Mrs.P.P. Shinde APP for the Respondent State.**

**CORAM : R. M. SAVANT, &
REVATI MOHITE DERE,JJ
DATE : 6th JULY, 2018**

P.C.

1. The above Criminal Application has been filed for seeking leave to amend Criminal Application No.2851 of 2018 so as to annex the documents, which are mentioned in the list of documents appearing at page 10 from item Nos. 1 to 12.

2. We have perused the list which is annexed at page 10 and have gone through each of the items listed therein. We are of the view that leave can be granted so as to annex the FIR No.234 of 2007(Sr.No.2 in the list), which was registered at the behest of the Applicant as the same could have some relevance insofar as the adjudication of the Criminal Application No.2851

of 2008 is concerned as it is the contention of the Applicant that the FIR No.23 of 2008 of which the quashing is sought is a counter blast to the FIR No.234 of 2007, which has been lodged by him.

3. Insofar as the other documents are concerned i.e. excluding the document at item No.2, we are of the view that since the said documents are sought to be relied by the Applicant to buttress his contention that the ingredients of the offence alleged against him are not made out, the Applicant may make the compilation of the said documents and produce it at the hearing of the Criminal Application No.2851 of 2008 after serving an advance copy on the office of the Government Pleader and Public Prosecutor and the Respondent No.2 in two weeks in advance. The above Criminal Application No.999 of 2016 is accordingly allowed to the aforesaid extent.

4. At this stage, the request is made by the Applicant for expeditious hearing of Criminal Application No.2851 of 2008. Since the Criminal Application is of the year 2008, the same to be listed on the final hearing board in the week commencing from 3rd September 2018, to be shown at its appropriate place as per chronological order.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]