

Anand

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

CRIMINAL APPLICATION NO. 734 OF 2019

(For Recall)

IN

CRIMINAL APPLICATION NO. 724 OF 2018

Nilesh Sambhaji Mali & ors.

.Applicants

Vs.

Smita Nilesh Mali alias

.Respondents

Smita Appasaheb Chougule & anr.

Mr. V. B. Shivarkar, Advocate, for the Applicants

Mr. P. D. Pise, Advocate, for the Respondent No. 1

Mr. S. V. Gavand, APP, for the Respondent No. 2 – State

CORAM : REVATI MOHITE DERE, J.

DATE : 02.05.2019

P.C.

. By this Application, the Applicant seeks re-call of the order dated 13.03.2019 passed by this Court (Coram : Revati Mohite Dere, J.) in Cri. Appln. No. 724 of 2018. He also orally submits that inadvertently, in para 5 of the said order, in view of the erroneous submissions advanced by both the counsel, it is wrongly mentioned that “As noted above, all the Applicants are arraigned as accused in the 498A case, whereas the husband i. e. the Applicant No. 1 is Respondent in the other two cases pending

in the Sangli Court.”

2. Insofar, as recalling of the order dated 13.03.2019 is concerned, no ground is made out for re-calling the said order.

3. As far as, request for Speaking to the Minutes of the Order is concerned, in view of the joint request made by the parties, in para 5, the aforesaid sentence is corrected as under :-

“As noted above, all the Applicants are arraigned as accused in the 498A case as well as in the D. V. case, whereas the husband i. e. the Applicant No. 1 is Respondent in the Divorce case pending in the Sangli Court.”

4. Accordingly, the order dated 13.03.2019, shall stand corrected as above. No ground is made out for re-call of the order. Ordered accordingly.

5. Rest of the order to remain as it is.

6. The Application is, accordingly, disposed of.

(REVATI MOHITE DERE, J.)