

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 5878 OF 2018

Sushilkkumar Omprakash Budhia and Ors. ... Petitioners

Versus

State of Maharashtra and Anr. ... Respondents

ALONG WITH

WRIT PETITION NO. 227 OF 2019

Sanjay Sushil Bhosale ... Petitioner

Versus

State of Maharashtra and Anr. ... Respondents

Mr.Aabad Ponda, Neveille Mukerji and Asim Tirmizi I/by Veritas
Legal for the Petitioners.

Mr.Rohit Sain for respondent no. 2.

Mr. A.D. Kemkhedkar, APP for respondent State.

Mr. Dinesh Desai, ACP, Deonar Division, Mumbai.

**CORAM : B.P. DHARMADHIKAKRI &
REVATI MOHITE DERE, JJ.**

DATE : FEBRUARY 21, 2019

P.C.:

Learned APP points out that after completing the investigation, "D" summary has already been filed. Counsel for the petitioners has no objection if keeping the contention open,

the petition is disposed of. Learned counsel for respondent no.2 however, states that the respondent no.2 has also filed writ petition being WP No. 227 of 2019 for change of investigating agency.

2. He is also seeking time to obtain instructions in view of the statement made by the learned APP.

3. As “D” summary is already filed, parties have to proceed further in the manner prescribed by law. Hence, with a liberty to the parties to proceed further accordingly and keeping all their contentions open, we dispose of both the petitions.

(REVATI MOHITE DERE, J.) (B.P. DHARMADHIKARI, J.)