

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.735 OF 2019**

Shri Surendra Vishwanath Mishra ... Petitioner

Vs.

The State of Maharashtra ... Respondent

Mr.Nilesh Ojha with Vijay Kurle, Abhishek Mishra, Shivam Mehra
and Mansi Jain i/b Shashikala Chouhan for the Petitioner

Ms.Veera Shinde, APP, for the Respondent – State

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: FEBRUARY 18, 2019**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. Rule. Rule made returnable forthwith by consent of the parties and heard finally at the stage of admission.
3. This petition is filed for a limited relief that the application filed by the petitioner under sections 340 r/w 195 of the Code of Criminal Procedure in C.C. No.2436 PW of 2017, be decided expeditiously.
4. Considered para 32 of the judgement of the Constitution Bench of the Supreme Court in the case of **Iqbal Singh Marwah &**

anr. vs. Meenakshi Marwah & Anr.¹

5. In view of the limited relief prayed for, the petition is disposed of by directing the learned Metropolitan Magistrate, 67th Court, Borivali, to decide the application filed by the petitioner under section 340 r/w section 195 of the Code of Criminal Procedure in CC No.2436 PW of 2017 within two months from the date of receipt of the copy of this order.

6. Rule made absolute accordingly.

(MRIDULA BHATKAR, J.)

1 (2005) 4 SCC 370