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

CRIMINAL WRIT PETITION NO.1621 OF 2018

Bhausahab Vithoba Varpe

...Petitioner

Versus

The State of Maharashtra

...Respondent

***WITH
CRIMINAL APPLICATION NO.250 OF 2018
IN
CRIMINAL WRIT PETITION NO.1621 OF 2018***

Dr. Sudhir Bhaskarrao Tambe

...Intervenor
(Applicant/Orig. Accused)

IN THE MATTER BETWEEN

Bhausahab Vithoba Varpe

...Petitioner

Versus

The State of Maharashtra

...Respondent

Mr. Niteen Pradhan a/w Mr. Shubham Kanade i/b Mr. U. R. Mankapure,
for the Petitioner.

Ms. P.P.Shinde, A.P.P for the Respondent - State.

Mr. M.S. Mohite, for the Intervenor.

CORAM : REVATI MOHITE DERE, J.

DATE : 21st NOVEMBER, 2019

P.C. :

1. Heard learned counsel for the parties.

2. Perused the papers. It appears that the petitioner has filed an application before the learned Judicial Magistrate First Class, Pune, in R.C.C. No.2459 of 2008, requesting the learned Magistrate to record his statement under Section 164 of Code of Criminal Procedure. It appears that the said application was filed on 15th November, 2017.

3. Considering the fact that the said application is pending before the learned Magistrate, it would be appropriate, to direct the learned Judicial Magistrate First Class, Pune, to decide the said application, on its own merits, in accordance with law, as expeditiously as possible and in any event within 6 weeks from the date of receipt of this order.

4. Petition is accordingly disposed of on the aforesaid terms.

5. It is made clear, that this Court has not expressed any opinion on the merits of the petition. All contentions of all the parties are kept open. Learned Counsel for the parties, assure to co-operate with the learned Magistrate in the expeditious disposal of the said application.

6. In view of the aforesaid, the Intervention Application being Criminal Application No.250 of 2018, does not survive and the same is also disposed of.

REVATI MOHITE DERE, J.