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

CRIMINAL APPLICATION NO.1085 OF 2016

Swaran Salaria ...Applicant

Versus

The State of Maharashtra and Anr. ...Respondents

Mr.Niteen Pradhan, i/b Ms.Shubhada Khot, for the Applicant.

Mr.F.R.Shaikh, A.P.P. for the Respondent No.1– State.

Mr.Ashish Chavan a/w Mr.Kunal Shinde and Ms.Aishwarya Kantawala, for the Respondent No.2.

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

DATE : 18th JANUARY, 2019

P.C. :

1. Heard for some time.
2. Learned Counsel for the complainant (Respondent No.2) fairly states that the impugned order does not fully redress and meet the grievance of Respondent No.2. He, therefore, seeks restoration of Protest Note lodged by the Respondent No.2 after order of learned Magistrate, 21st

Court, Bandra, Mumbai, dated 3rd March, 2015.

3. Learned A.P.P. has pointed out that after the impugned order dated 4th April, 2016, again charge-sheet is now ready but has not been filed because of interim relief granted by this Court.

4. As Respondent No.2 has given no objection, we do not find it necessary to record any reasons.

5. In view of this, we set aside the order passed below Exhibit – 1 in C.C.No.01/NC/2015 by 71st Court at Bandra, Mumbai, on 4th April, 2016 and restore the Protest Note of Respondent No.2, filed before that Court for fresh and independent consideration.

6. As the complaint appears to be of 2014, we direct the trial Court to expedite consideration and to pass appropriate orders within next two months.

7. We, accordingly, direct the parties to appear before that Court on 4th March, 2019 and the period of two months shall be completed from that date.

8. Criminal Application is accordingly disposed of.

REVATI MOHITE DERE, J.

B.P. DHARMADHIKARI, J.