

BDP-SPS

Bharat
D. Pandit

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.330 OF 2018

IN

WRIT PETITION NO.2418 OF 2017

Shabbir Ahmed Mushtaq Ahmed Sheikh Applicant.

V/s

The State of Maharashtra Respondent.

Mr. Nithilesh Mishra a/w Ms. Priyanka Ahuja for the Applicant.

Mrs. S. D. Shinde, APP for the State.

**CORAM: B. P. DHARMADHIKARI &
NITIN W. SAMBRE, JJ.**

DATE: 25th November, 2019

P.C.:-

1] Heard learned Advocate Mr. Nithilesh Mishra for the Applicant - Shabbir Ahmed Mushtaq Ahmed Sheikh. Mr. Mishra seeks time to file vakalatnama and to obtain instructions in detail. According to him, during the period when the Applicant was behind bars, a second charge-sheet has been filed, falsely implicating him and he contends

that as per his instructions, it is for very same offence for which Applicant is already convicted.

2] Learned APP disputes this. She points out that on record of this Court, there is a copy of common Judgment delivered on 2/2/2009 by a Special Judge in Sessions Case Nos. 526 of 2008, 772 of 2005, 331 of 2006 and 113 of 2008. According to her, Applicant has sent an erroneous letter.

3] Matter has remained pending before this Court without any progress since last more than two years. Prisoner is also behind the bar. Respective Counsel are not having full instructions.

4] We, in this situation, direct the Superintendent of Yerawada Central Prison to furnish necessary information to the Applicant and his Advocate within three weeks. From request of the the learned Advocate for the Applicant, it appears that Agripada Police Station is the concerned Police Station. We therefore direct the concerned I.O. of that Police Station to supply necessary information to Advocate Mr. Mishra within three weeks.

5] With these directions and keeping all contentions open, we dispose of the present Application.

(NITIN W. SAMBRE, J.)

(B. P. DHARMADHIKARI, J.)