

Anand

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

CRIMINAL APPLICATION NO. 333 OF 2019

Asiya W/o. Mohammad Yasin Sardar

.Applicant

Vs.

Rupesh Laxman Mhatre & ors.

.Respondents

Ms Vidhya Korgaonkar i/b. Mr. Amar Bhatt, Advocate, for the Applicant
Mr. P. H. Gaikwad-Patil, APP, for the Respondent No. 4 – State

CORAM : REVATI MOHITE DERE, J.

DATE : 06.12.2019

P. C.

. At the outset, learned counsel for the Applicant seeks leave to amend. Leave granted. Amendment to be carried out forthwith.

2. By this Application, the Applicant seeks a direction to the learned Judge to expedite the case of the Applicant, being Cri. O. M. A. 81 / 2015.

3. Perused the papers. The Applicant is aged 85 years and the Original Complainant in the said case. She submits that pursuant to a private complaint lodged by the Applicant seeking a direction under Section 156(3) of the Code of Criminal Procedure, the learned Magistrate was pleased to pass the order under Section 156(3) of the Code of Criminal Procedure. She submits that the police have filed 'C'

Summary Report in the said case, pursuant to which the Applicant filed a protest Petition. She submits that the said protest Petition was allowed by the learned Magistrate vide order dated 27.06.2016. She submits that the accused have not challenged the order dated 27.06.2016 passed by the learned Magistrate on the said protest Petition. Statement accepted.

4. Having regard to the age of the Applicant i. e. 85 years, the hearing of Cri. O. M. A. 81 / 2015 which is pending on the file of the Chief Judicial Magistrate, Thane is expedited.

5. Accordingly, the Application is allowed and disposed of. The learned Judge to decide the case as expeditiously as possible and preferably within six months from the date of receipt of this order.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)