

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APL) NO.384 OF 2017

(Vivek s/o Madhusudan Mishra ..vs.. State of Maharashtra, through PSO, PS Ramnagar, Gondia and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Shende, Counsel h/f. Shri Anjan De, Counsel for the applicant,
Shri C.A. Lokhande, Addl.P.P. for non-applicant No.1/State,
Shri S.M. Kharkate, Counsel for non-applicant No.2.

**CORAM : P.N. DESHMUKH AND
ROHIT B. DEO, JJ.**

DATED : 22-01-2019

Learned Counsel for the applicant seeks adjournment of one week's as Advocate Shri Anjan De is not present.

2. Record reveals that matter is repeatedly adjourned from time to time earlier on the application of learned Counsel for applicant. Even otherwise record reveals that mixed question of fact and of law is involved in the application, that cannot be gone into the application. As such we find no substance to adjourn the case as in fact find applicant is not interested to prosecute the application. Same is, therefore, dismissed reserving liberty in favour of applicant to adopt recourse as is available under law by filing discharge application before the trial Court, as admittedly, charge-sheet is already filed before the competent Court on 16-12-2017.

JUDGE

JUDGE