

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

**CRIMINAL APPLICATION (APPW) 195 OF 2019**  
**IN**  
**WRIT PETITION 522 OF 2019**

(Shekhar Prakash Malvi & ors..vs.. Sau. Snehal Shekhar Malvi and ors)

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

*Court's or Judge's orders.*

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Shri C.A. Babrekar, counsel for applicants.  
Shri A.R. Chutke, APP for respondent 3.

**CORAM: ROHIT B. DEO, J.**  
**DATE: 5<sup>th</sup> AUGUST, 2019.**

This application is taken out for modification of the judgment and order dated 12.7.2019 to the extent that the Criminal Writ Petition 522 of 2019 came to be dismissed with cost of Rs.25,000/-.

2            This Court imposed cost since the petition was a gross abuse of the process of law. The application for transfer of the proceedings was preferred purportedly under section 408 of the Code of Criminal Procedure. Allegations were made against the learned Presiding Officer, which were absolutely unsubstantiated and irresponsible.

3            However, in view of the apology tendered and the financial difficulty expressed *inter alia* in paragraphs 3 and 4 of the application, the quantum of cost is reduced to Rs. 10,000/-.

4            The rest of the judgment shall remain as it is.

**JUDGE**