

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION (WP) NO. 922/2019

Mrs. Dipali @ Seema w/o Vikram Gawande and anr.

..VS..

State of Maharashtra and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A. S. Mardikar, Senior Advocate with Shri S. G. Joshi and
Shri N. R. Tekade, Advocates for the petitioners
Shri A. D. Sonak, APP for respondent nos. 1 and 2/State

CORAM : Z. A. HAQ & M. G. GIRATKAR, JJ.

DATED : 05/11/2019

Heard.

The petition is filed by two accused who are accused in crime No. 225/2019, to challenge the appointment of Shri Ujwal Nikam, Advocate as a Special Public Prosecutor to conduct the trial. According to the petitioners, the appointment of Shri Ujwal Nikam, Advocate as a Special Public Prosecutor is not in consonance with the guidelines laid down by this Court in the judgment given in the case of **Prakash Pralhad Patil Vs. State Of Maharashtra & Ors.** reported in **2008 ALL MR (Cri) 2051.**

After hearing learned Senior Advocate for some time, we expressed that the challenge at this stage is half hearted and the material placed on record is not sufficient to substantiate the contention of the petitioners that there

is breach of any guideline. When we expressed this, learned Senior Advocate, on instructions, sought permission to withdraw the petition with liberty to file fresh petition after collecting and examining the relevant material/data.

The petition is **disposed** as withdrawn with liberty as prayed for.

JUDGE

JUDGE

SMGate