

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1212/2019

NIRMALA KAMLSINH JADHAV APPLICANT.

VERSUS

THE STATE OF MAHARASHTRA RESPONDENT.

Mr.Adwait Bhonde, Advocate for applicant.

Mr.R.M.Pethe, APP for State.

CORAM : A. M. BADAR, J.

DATE: 7TH FEBRUARY 2020.

P.C.:

1. This is an application titled as ‘application under Section 482 of the Criminal Procedure Code’. Applicant is not challenging any order passed by the learned trial court in this application. He is merely praying for permitting him for comply and procure the Passport during the pendency of the trial in a trial of Special Case bearing No.11/2010, pending on the file of learned Special Judge, Pune.

2. Learned counsel for the petitioner argued that in Criminal Writ Petition No.3817/2014, record and proceedings of Special Case No.11/2010 is with the Court. Therefore, he was not permitted to prefer such application before learned trial court.

3. Though record and proceedings of Special Case no.11/2010 may be pending before this Court but as the trial is not over, applicant has to approach the concerned trial court for permission to obtain Passport and for ancillary reliefs.

4. At this stage, learned counsel for the applicant seeks permission to withdraw the instant petition with liberty to approach learned trial court by moving necessary application. Petition as such is disposed of with liberty as prayed.

(A. M. BADAR, J.)

