

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

CRIMINAL APPLICATION (ABA) 176 OF 2020

Fahimoddin s/o Shamshoddin Khan

Vs.

State of Maharashtra, through PSO, PS Frezarpura, Amravati

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

Court's or Judge's orders.

None for applicant.

Ms. Kalyani Deshpande, APP for non-applicant.

CORAM : ROHIT B. DEO, J.

DATE : DECEMBER 17, 2020.

None appears on behalf of the applicant.

(2) The application was listed on 13.03.2020. A statement was made that the learned counsel for the applicant Mr. Hitesh Biherani was out of station. However, since the learned APP pointed out that earlier application seeking pre arrest bail was rejected by this Court on merit, hearing was adjourned to 17.03.2020 only to enable the learned counsel to explain why a successive application should be entertained. The applicant was put on notice that if application is found to be an abuse of process of law, exemplary cost shall be imposed.

(3) On 17.03.2020, again Mr. Hitesh Biherani was absent and the application was adjourned to 23.03.2020. This Court expressed the hope that Mr. Hitesh Biherani shall be present to assist the Court.

(4) For the reasons inexplicable, the application was not listed any time thereafter.

(5) It is more than apparent that the process of the Court is been taken for a ride.

(6) The application is gross abuse of the process of law. The application is dismissed with costs of Rs.25,000/-.

(7) The Collector, Amravati shall ensure that the cost is recovered, if necessary as arrears of land revenue and is deposited in the account of the District Legal Service Authority, Amravati.

(8) The Collector, Amravati shall file a compliance report in the Registry of this Court within 8 weeks.

JUDGE

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