

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL NO. 61 OF 2003**

Jyoti Satish Shetty

... Appellant

V/s.

The State of Maharashtra

... Respondent

Mr.Apoorv Singh for Appellant.

Mr.Amit Palkar, A.PP. for Respondent-State.

CORAM : A.S. GADKARI, J.**DATE : 23rd February 2021.****PC. :**

Learned counsel for the appellant submitted that, the Division Bench of this Court by its Order dated 16th June 2017 was pleased to quash M.P.I.D. Special Case No. 13 of 2005 arising out of CR No. 59 of 2002 registered with the Economic Offence Wing, Unit-VII, Criminal Branch, Mumbai, qua the applicants therein. That, the applicant No.1 Satish V. Shetty is husband of the present appellant. By the present appeal, the appellant has impugned Order dated 18th November 2002 thereby rejecting her application for release of flat No.702, Blue Bell, Vasant Valley, Goregaon (East), Mumbai.

2. Perusal of Order dated 16th June 2017 would reveal that, the Division Bench has granted liberty to the applicants therein to approach the M.P.I.D. Court in respect of reliefs claimed in prayer Clause (c) in the said

Application.

3. Learned counsel for the appellant submitted that, after the crime against the husband of the appellant was quashed by the Division Bench, the appellant filed an application before the Trial Court below Exhibit-58 on 4th August 2017. However, due to the pendency of the present appeal, the Trial Court is unable to proceed with the said application. He submitted that, as the husband of the appellant has been discharged from the said case, the appellant has a good case on merits.

In view thereof, he seeks leave to withdraw the present appeal with liberty to pursue the said application filed below Exhibit-58 dated 4th August 2017 before the Trial Court.

Leave and liberty granted.

Disposed off as withdrawn with aforesaid liberty.

4. Interim relief, granted by Order dated 29th July 2003, to remain in force for a period of eight weeks from today.

[A.S. GADKARI, J.]

Omkar S.
Kumbhakarn

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