

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

WRIT PETITION NO. 1575 OF 2021

Pradeep Gajanan Rao

... Petitioner

Vs

Parth Dilip Kambli & Anr.

... Respondents

...

None for the Petitioner.

Mr. M. M. Khokhawala a/w Ms. Megha Puralkar, for Respondent No.1.

Mr. Y. M. Nakhawa, for Respondent No.2 – State.

...

CORAM : SANDEEP K. SHINDE J.

DATE : 13th OCTOBER, 2021.

PC. :

. None for the petitioner.

2. Heard Mr. M. M. Khokawala, learned Counsel for the respondent No.1. Perused the order dated 3rd February 2020 in Criminal Writ Petition No.4250 of 2019.

3. In Writ Petition No.4250 of 2019, order dated 26th July 2019 has been challenged by which the learned Additional Sessions Judge declined to condone the delay in a revision application preferred by

the petitioner against the order of issuance of process. Obviously, since the application to condone the delay was rejected, the substantive revision petition was also disposed of. In view of these facts, this Court vide order dated 3rd February 2020 (CORAM : A. M. BADAR, J.) held, that petition to survive so far as order challenging rejection of application for condonation of delay by the Sessions Court in revision petition. In spite of this order, the petitioner instituted the Writ Petition No.1575/2021 on 26th February 2020 i.e. after the order passed by this Court in Writ Petition No.4250/2019. Instant petition also challenges the order of, issuance of process, dated 11th April 2018. As such the Writ Petition No.1575/2021 was not maintainable. It is accordingly, dismissed.

(SANDEEP K. SHINDE, J.)