

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

CRIMINAL REVISION APPLICATION NO. 158 OF 2021

Naresh Hanshraj Shah

...Applicant

Versus

Sunil Mangilal Jain & Ors.

...Respondents

Mr. M. J. Bhatt for the Applicant

Mr. A. R. Gole for the Respondent Nos. 1 to 3

Mr. A. R. Patil, A.P.P for the Respondent–State

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO CONFERENCING)
MONDAY, 23rd AUGUST 2021

P.C. :

1 In view of the preliminary objection raised by the respondent Nos. 1 to 3 that the revision application ought to have been filed before the Sessions Court, Thane, since the order impugned is a revisable order, learned counsel for the applicant seeks leave to withdraw the application with liberty to file appropriate application before the learned Sessions Judge.

2 Accordingly, the application is disposed of as withdrawn with liberty as prayed.

3 At this stage, learned counsel for the applicant submits that the applicant will file an appropriate application before the Sessions Court, Thane, within 10 days from today. If such a revision application is filed, the learned Sessions Judge to take into consideration the delay that has occurred by filing the aforesaid application in this Court. Learned counsel for the respondent Nos. 1 to 3 also states that they will not take any objection with respect to delay, if any, caused in filing the revision application. Statement accepted.

4 The application is accordingly disposed of on the aforesaid terms. All contentions on merits between the parties are kept open.

5 It is made clear that this revision application has not been heard on merits.

6 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.