

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

CRIMINAL APPLICATION (APL) NO.245 OF 2018

(Dr. Hemant Ramchandra Murke and others Vs. Sanjay Sudhakar Joshi and another)

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

Court's or Judge's orders.

Mr. Pradeep Mahalle, Advocate for Applicants.
Mr. S.V. Narale, Advocate for Non-Applicant 1.
Mr. N.S. Rao, APP for Non-Applicant 2/State.

CORAM: ROHIT B. DEO, J.

DATE: 25th JUNE, 2021.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. The applicants are challenging the order of issuance of process in Misc. Criminal Case 484/2013 instituted by non-applicant 1 – Sanjay Sudhakar Joshi.

3. A statement is made by Mr. Narale, the learned counsel for non-applicant 1 – Sanjay Sudhakar Joshi that a praecipe for withdrawal of the complaint is already filed before the trial court and that in view of the interim order which is operating, it is not possible for the trial court to permit the withdrawal.

4. The interim order dated 23.03.2018 stands vacated.

5. The trial Magistrate shall consider the praecipe for withdrawal and pass necessary orders on 06.07.2021, on which date the parties shall appear and make an appropriate application for taking the case on board.

6. Although the interim order is vacated to enable the trial Magistrate to pass order on the withdrawal praecipe, till the complaint is actually withdrawn, no coercive steps shall be taken against the applicants.

7. The application is disposed of.

JUDGE