

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

CRIMINAL APPLICATION (APL) NO.979/2018

Anup S/o. Niranjan Dodiya Vs. State of Maharashtra and Anr.

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

Court's or Judge's orders

Shri Anil S. Mardikar, Sr. Adv. a/b Shri S.G. Joshi, Adv. for the applicant.
Shri V. A. Thakare, A.P.P. for the Non-applicant/State.

CORAM : V. M .DESHPANDE AND
AMIT B. BORKAR, JJ.

DATE : 01/09/2021.

1. Yesterday this matter was heard. Extensive submissions were made by Shri A. S. Mardikar, the learned senior counsel.

2. During the course of hearing it was noticed from the reply filed on behalf of the State that there is a suicide note. Faced with this situation, the learned senior counsel submitted that the matter be adjourned till today so as to obtain the necessary instructions from the applicant. Today, when the matter was called, the learned senior counsel would submit that he has instructions to withdraw the present application to enable the applicant to file the application for discharge. He further submitted that interim order is operating in favour of the present applicant from 17.10.2018 (Coram : R. K. Deshpande and Vinay Joshi,JJ.) and it be continued.

3. Since the interim order is in operation from 17.10.2018 and as on today there is no complaint from

prosecuting side that any wrong is committed by the present applicant under the garb of the interim order dated 17.10.2018, we pass following order.

- i. The application is permitted to be withdrawn.
- ii. The applicant shall have liberty to file the application for discharge before the learned Court below, which shall be decided by the learned Court below in accordance with law.
- iii. The interim order dated 17.10.2018 shall remain in force for next four weeks i.e. upto 30.09.2021. On the said date, it shall cease to operate automatically.
- iv. The Criminal Application is disposed of.

JUDGE

JUDGE