

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.986 OF 2018
IN APPLN/5165/2017

SATISH CHAGAN KASAR
VERSUS
VIJAY BHASKAR KASAR

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CORAM : S. G. MEHARE, J.

DATE : 21-09-2022

PER COURT :-

1. The present application is filed by the applicant-in-person to recall the order dated 31.10.2017 passed by this Court in Criminal Application No. 5165 of 2017, granting leave to withdraw the application with liberty to file necessary application before the police authority as well as the trial Court for seeking protection, if any such contingency arises.

2. The learned counsel appointed by the High Court Legal Services Sub Committee Aurangabad withdrew his power. The notice was issued to the applicant. It was served, however, he sent a communication dated 28.02.2019, making allegations against the then Registrar (Administration) of this Court and the Principal District and Sessions Judge. He prayed to cancel the warrants issued against him by the Principal District and Sessions Judge. Since the applicant was absent, the status report was

called from the Judicial Magistrate, First Class, Nandurbar. The report has been received. The case is still pending. The present applicant is continuously absent. The case was posted for recording the statement of the accused under Section 313 of the Code of Criminal Procedure. Presently, the proclamation under Section 82 of the Cr.P.C. has been issued against the present applicant /accused. An application for attachment of the property of the accused has also been filed by the complainant and it is pending for hearing.

3. It appears that the applicant is neither appearing before this Court nor the Criminal Court. The case is pending since 2012. The conduct of the applicant appears not *bona fide*. Considering the status of the complaint pending before the learned Judicial Magistrate, First Class, Nandurbar and the consistent absence of the applicant, the Court is of the view that the applicant does not wish to prosecute the application. Hence, the application stands dismissed for default.

**(S. G. MEHARE)
JUDGE**

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