

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

CRIMINAL APPLICATION NO.73 OF 2022

Deepak Rangrao Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

***WITH
CRIMINAL APPLICATION NO.64 OF 2022***

Sourabh Shahaji Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

***WITH
CRIMINAL APPLICATION NO.65 OF 2022***

Shahaji Rangrao Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

***WITH
CRIMINAL APPLICATION NO.66 OF 2022***

Poonam Shahaji Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

***WITH
CRIMINAL APPLICATION NO.67 OF 2022***

Sangita Deepak Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.68 OF 2022**

Sahil Deepak Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.69 OF 2022**

Digvijay Shahaji Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.70 OF 2022**

Suchitra Sanjay Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.71 OF 2022**

Sanjay Rangrao Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.72 OF 2022**

Sunita Shahajirao Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.75 OF 2022**

Samruddha Deepak Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.76 OF 2022**

Jyoti Shahaji Ghodake	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Anand S. Patil for the Applicant

Mr. H. J. Dedhia, A.P.P for the Respondent No.1–State

Mr. Omar Khaiyam Shaikh a/w Mr. Vikas Salvi i/b Vikas Salvi & Associates for the Respondent No. 2 in APPLN/73/2022

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 7th APRIL 2022

P.C. :

1 Learned counsel for the applicants does not press the applications and seeks leave to withdraw all the applications. He, however, submits that in view of the judgment of the Apex Court in the case of

Bhaskar Industries Ltd. vs. Bhiwani Denim & Apparels Ltd. & Ors.¹, in particular, paras 14 and 15, the applicants be permitted to file appropriate applications in the trial Court. He states that the advocates of the applicant will co-operate in the conduct of the trial and will not seek any adjournments and as such, the presence of the applicants can be dispensed with by the trial Court.

2 Mr. Shaikh appearing for the respondent No. 2 in Criminal Application No. 73/2022, on instructions, states that the respondent No. 2 in all the aforesaid applications, will not insist on the presence of the applicants, provided, they comply with the mandate laid down by the Supreme Court in ***Bhaskar Industries Ltd. (Supra)***, which was followed in the case of ***Puneet Dalmia vs. Central Bureau of Investigation, Hyderabad***² and the applicants' advocate co-operate in the conduct of the case and do not seek adjournments. Statement accepted.

1 (2001) 7 SCC 401

2 (2020) 12 SCC 695

3 Accordingly, the applicants are at liberty to file appropriate applications in the trial Court, for exemption, having regard to the aforesaid judgments. If such applications are filed, the trial Court to consider the same, having regard to what is stated aforesaid.

4 Accordingly, all applications are allowed to be withdrawn and are disposed of in the aforesaid terms.

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

REVATI MOHITE DERE, J.