IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 663 OF 2022
WITH
CRIMINAL APPLICATION NO. 664 OF 2022

Rajendra Madhukar Kulkarni ...Applicant
Versus
Assistant Commissioner Of Income Tax
And Anr. ...Respondents

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Adv. P.G. Sabnis a/w Kashmira Khedekar, Advocate for the Applicant.

Mr. Amit Munde, SPP, Income Tax, Advocate for the Respondent.

Mr. Arfan Sait, APP for the Respondent – State.

CORAM : PRAKASH D. NAIK, J.
DATE : 26th AUGUST, 2022.

PER COURT:

1. The applicant is prosecuted under the provisions of Income Tax Act. The order issuing process has been challenged by the applicant before the Sessions Court by preferring revision application. The said revision application is pending, since interim relief is not been granted to the applicant, for limited relief the applicant has approached this Court.

2. It is submitted that the applicant is senior citizen suffering from cancer. The trial Court is insisting for his presence.

3. Learned counsel for the Respondent submitted that the revision application is pending before the Sessions Court. At the most the Sessions Court may be directed to expeditiously dispose of

the revision application.

4. The revision applications preferred by the applicant are pending before the Sessions Court since June- 2022 and the next date before the Court of Sessions for hearing revision application is on 15th September, 2022 and 27th September, 2022. The next date before the trial Court is on 7th September, 2022.

5. Learned counsel for the Respondent submitted that the applicant was exempted from appearing before the trial Court. The Respondents had consented for exemption atleast on five dates of hearing.

6. The Sessions Court is directed to decide the subject revision applications within a period of three months from receipt of this order.

7. Till then the final disposal the revision application the applicant is exempted from appearing before the trial Court in both the proceedings.

8. Applications stand disposed of.

(PRAKASH D. NAIK, J.)