

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

**INTERIM APPLICATION NO.3069 OF 2022
IN
WRIT PETITION NO.684 OF 2017**

Sushil Kumar Saxena

... Applicant.

Versus

Mr. Mohammad Sami Ahmed & Anr.

... Respondents

Mr. Satish Chettiyar, Advocate a/w. Amol Wagh i/by Sagar Kasar for the Applicant.

Mr. Pankaj R. Thatte, Advocate for Respondent No.1.

Mr. Yogesh Y. Dabke, APP for the State-Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 26th SEPTEMBER, 2022

P.C. :

1. This is an application for condonation of delay of 2 years and 195 days in filing this restoration application and also with the prayer for restoration of the Writ Petition No. 684 of 2017.

2. During course of the argument, learned counsel for the Applicant submitted that the appropriate remedy would be an appeal under section 341 of the Criminal Procedure Code and Writ Petition in the present form is not maintainable.

3. Considering this statement, restoring the Writ Petition will not serve any purpose and hence Interim Application No. 3069 of 2022 is dismissed.

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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