

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

CRIMINAL WRIT PETITION NO. 4006 OF 2016

Nitin Shankarrao Vetel & Ors. ...Petitioners
Versus
The State of Maharashtra ...Respondent

Mr. Aabad Ponda, Sr. Advocate with Mr. Shailesh Subhash Kharat for the
Petitioners

Ms. P. P. Shinde, A.P.P for the Respondent–State

***CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO-CONFERENCING)
TUESDAY, 25th JANUARY 2022***

P.C. :

1 Heard learned counsel for the parties.

2 By this petition, the petitioners seek the following reliefs :

“(a) that this Hon’ble Court may be pleased to quash and set aside the order below Exhibit-295 Dated 21/09/2016 in MCOCA Special Case No.4 of 2010 arising out of C.R. No. 85 of 2010 pending on the file of the learned Special Judge under the Maharashtra Control of Organized Crimes Act, 1999, District Pune;

(b) that this Hon'ble Court may be pleased to allow Exhibit-295 in MCOCA case No. 4 of 2010 and the evidence of P.W. 10-Javed may be deferred till such time as and when the photographs and their negatives of the spot of incident are traced out.”

3 Learned senior counsel for the petitioners submits that during the pendency of this petition, 23 witnesses have been examined till date and as such the aforesaid prayers will not survive and that the petition by efflux of time is rendered infructuous.

4 It is not in dispute that 23 witnesses have been examined till date. Considering the aforesaid, the prayers in the present petition do not survive. The petition is accordingly disposed of as infructuous.

REVATI MOHITE DERE, J.