

2. Also heard Mr Sethna, learned counsel for Respondent No.1. He submits that he has no objection to withdrawal of the Application. He however submits that the request of the learned counsel for the Applicant to decide the Application to be filed before the Sessions Court is unreasonable. He relied on the judgment of this Court in *Ankit Ghanshyam Mutha v/s. Union of India and Ors.*³

3. Both the learned counsel, however, agreed to cooperate with the concerned Sessions Court for disposal of the Application to be filed before it expeditiously and within four days from the filing of the Application before the concerned Sessions Court.

4. Since the violation of the constitutional mandate is alleged, and both the learned counsel agreed to dispose of the Application to be filed before the concerned Court expeditiously and within four days from the date of filing of the application. In view of this, the concerned Sessions Court to decide the Bail Application of the Applicant expeditiously and within four days from the date of filing of the Application, on its own merits, uninfluenced by the withdrawal of this Application. Needless to state that the learned Sessions Court will consider the judgments cited by both the learned counsel while deciding the Bail Application to be before it.

3 2020 SCC OnLine Bom 121

Corrected vide order dated 6th December, 2022.

5. The Applicant is permitted to withdraw the present Bail Application with the liberty to move before the Sessions Court.

6. Bail Application stands disposed of as withdrawn, with liberty as prayed.

7. It is made clear that this Court has not examined the matter on merits.

R. N. LADDHA, J.

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