

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (BA) No.468/2022

Atul Shivankar V State of Maharashtra thr PSO PS Nandanwan, Nagpur

Office notes, Office Memoranda of

Coram, appearances, Court's orders

or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.M. Nafde, Advocate for applicant.

Mrs. Mrunal Barabde, APP for State.

CORAM : ANIL S. KILOR, J.

DATE : 01-07-2022

The learned Counsel for the applicant, on instructions, seeks permission to withdraw the present application with liberty to move a fresh application if there will be no progress in trial in near future.

2. Permission is granted to withdraw the present application.

3. Looking to the allegations, prima facie, it appears that the alleged incident was not premeditated and upon considering the submission of the learned Counsel for the applicant that Section 302 of the IPC will not apply to this case, liberty is granted to the learned Counsel for the applicant to move a fresh application in case there will be no progress in trial, in next one and half years.

4. Accordingly, application is disposed of.

(Anil S. Kilor, J.)