

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

CRIMINAL APPLICATION (APPA) NO. 471 OF 2021 IN CRIMINAL
APPEAL NO. /2021

Surendra Gadling Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Firdos Mirza, Adv. & Mr. N.B. Rathod, Advocate for the applicant
Mr. N.B. Jawade, Spl. P.P. for non-applicant / State

**CORAM : V.M. DESHPANDE AND
G.A. SANAP, JJ.**

DATE : 4th JANUARY 2022

This is an application for condonation of delay in preferring the appeal under Section 21 of the National Investigation Agency Act, 2008.

2. Today, when this application was taken up for consideration, the learned counsel for the applicant appearing Shri Firdos Mirza, upon the instructions from the instructing counsel Shri N.B. Rathod, makes a statement that he has instructions to withdraw this application. He submits that liberty be given to the applicant to file fresh application for bail before the learned Judge of the Trial Court.

3. Shri N.B. Jawde, the learned Special Public Prosecutor submits that he has no objection for the same.

4. His statement is accepted.

5. The application is disposed of as withdrawn. Resultantly, the appeal is also ordered to be disposed of as withdrawn.

6. The applicant will have a liberty to file fresh application for bail for fresh consideration at the hands of the learned Judge of the Trial Court before whom the application will be filed. It is expected that the learned Judge of the Trial Court shall decide the same as expeditiously as possible and within a period of 15 days from the filing of the application. It is also observed that the learned Judge shall not get influenced by the earlier observations, if any and the application shall be decided in accordance with law.

JUDGE

JUDGE

MP Deshpande