

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

CRIMINAL APPLICATION (APL) NO. 1419 OF 2022

(Sagar s/o Laxmanraoji Dandekar ..vs.. State of Maharashtra, through its PSO, PS Umrer and another)

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

Court's or Judge's orders

Mrs. M.N. Hiwase, Counsel for the applicant,
Mr. V.A. Thakare, Addl.P.P. for non-applicant 1.

**CORAM : ROHIT B. DEO &
URMILA JOSHI-PHALKE, JJ.**
DATED : 17-10-2022

The learned Counsel for the applicant Mrs. M.N. Hiwase is relying on the Division Bench decision of this Court in *Anand Ramdhani Chaurasia v. State of Maharashtra, 2019(4) BCR(Cri.) 520*.

2. The learned Additional Public Prosecutor Mr. V.A. Thakare points out that the Apex Court is considering the challenge to the said decision, and has stayed the decision. It is further pointed out that there is a contrarian view of the Division Bench at Aurangabad which holds the field.

3. In view of the said submission, the learned Counsel Mrs. M.N. Hiwase seeks leave to withdraw the application with liberty to approach this Court as and when Apex Court decides the issue either way.

4. The application is disposed of with liberty as prayed.

(URMILA JOSHI-PHALKE, J.)

(ROHIT B. DEO, J.)

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