

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.2212 OF 2023
IN BA/834/2021**

**ASHOK S/O BALASAHEB KAWADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. S. S. Thombre
APP for Respondent: Mr. D. R. Kale

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CORAM : S. G. MEHARE, J.

DATE : 03.08.2023

PER COURT :

1. By this application the applicant prayed to expunge the adverse remarks recorded by this Court in order dated 26.04.2023. The remarks were about the conduct of the applicant. However, the learned counsel for the applicant who was the Special Public Prosecutor appointed by the Government and the President of the Bar Association, would submit that the applicant had no intention to protract the trial. However, he wants to withdraw himself from the said trial and undertakes not to interfere with the said trial any way. Therefore, adverse remarks may be expunged.

2. The learned Public Prosecutor would submit that till date no

letter is received from the learned Secretary, Law and Judicial, Mantralaya, Mumbai, about withdrawal of his appointment as a Special Public Prosecutor.

3. Considering the submissions made on behalf of the applicant and since it may be a stigma on his professional life, a lenient view needs to be taken. However, the applicant shall furnish his undertaking before the trial Court that he would not interfere with the trial anyway and would withdraw his *vakalatnama*.

4. On the above terms, the adverse remarks recorded against the applicant in the order dated 26th April, 2023 passed in Bail Application No. 834 of 2021 (Dayanand Santrao Ballal Vs State of Maharashtra) stand expunged.

5. In above terms the application stands disposed of.

(S. G. MEHARE)
JUDGE