AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.351 OF 2023

ATUL GANESH KULKARNI
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Date: 2023.04.24 18:17:08 +0530

Ashwin Arora … Petitioner

V/s.

The State of Maharashtra … Respondent

Mr. Pradyumna Sharma with Mr. Sandeep Pawar i/by Dujendra Kumar H. Sharma for the petitioner.

Mr. M.G. Patil, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 24, 2023

P.C.:

1. The challenge in this writ petition is to the order dated 14 November 2022 passed by the Metropolitan Magistrate 30th Court, Kurla, Mumbai. By the said order dated 12 August 2022 was recalled. Clause (3) of order dated 14 November 2022 states that reason order will be passed after hearing both sides.

2. Learned advocate for the petitioner states that in pursuance of clause (3), learned APP has not filed reply. Now the next date is 22 June 2023. According to the petitioner, he is unemployed and is unable to secure job due to pendency of the complaint. He, therefore, states that it is necessary that the trial should be decided expeditiously.

3. Without going into the merits of the matter, the interest of

justice would be served if the Trial Court is directed to decide the application as per clause (3) or order dated 14 November 2022.

4. The learned Magistrate shall decide application dated 21 April 2022 filed by the petitioner which was subject matter of order dated 12 August 2022 within four weeks from the date of appearance of the petitioner.

5. The petitioner shall appear before the learned Magistrate on 2 May 2023.

6. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)