

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.37 OF 2019

Narendra R. Karsiya	Applicant
Versus	
State of Maharashtra	 Respondent

Mr. Aniket Nikam, Advocate i/b. Piyush R. Toshnival for the Applicant.

Mr. Arfan Sait, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 20th OCTOBER, 2023

P.C. :

1. Learned APP pointed out that the Applicant has not approached the Sessions Court against the order rejecting the discharge application filed before the Magistrate. He submitted that since the application involves consideration of the charge-sheet, it would be appropriate if the Applicant approaches Sessions Court.

2. On these submissions, learned counsel for the Applicants states and submits that liberty be granted to the Applicant to approach the Court of Sessions. He further

submitted that on the question of limitation, the Revisional Court be issued some directions. He submitted that with liberty to approach the Sessions Court, this Application be permitted to be withdrawn.

3. I have considered these submissions. As the Applicant wants to approach the Court of Sessions by filing Revision Application, present Application is allowed to be withdrawn with such liberty. If the question of limitation is raised, the Revisional Court shall take into consideration the fact that the Applicant was pursuing the remedy of the present Application before this Court. The Revisional Court shall decide the Revision Application in accordance with law. It is clarified that this Court has not expressed any opinion on the merits of the matter. Criminal Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)

Digitally signed
by
PRADIPKUMAR
PRAKASHRAO
DESHMANE
Date:
2023.10.20
17:53:12 +0530