

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2166 OF 2022****WITH****INTERIM APPLICATION NO. 354 OF 2023**

Roshan Narendra Ghorpade

... Petitioner

V/s.

The State Of Maharashtra

... Respondent

None for Petitioner.

Mrs. S. D. Shinde APP, for Respondent-State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 21st FEBRUARY, 2023.****PC. :**

1. Present Petition is received through jail.

It is the grievance of the Petitioner that, his Application filed under Section 300 of the Code of Criminal Procedure is not been considered by the learned Additional Sessions Judge seized of Sessions Case No. 112 of 2013 arising out of C.R. No.28 of 2013 registered with Dombivli Police Station, Taluka Kalyan, District Thane.

2. In view thereof, we direct learned Additional Sessions Judge, Kalyan seized of Sessions Case No. 112 of 2013 to consider the Application of Petitioner, if filed under Section 300 of the Cr.P.C. and if not decided earlier hereto.

3. If the said Application under Section 300 of the Cr.P.C. is pending before the trial Court, learned Judge of the trial Court is requested to decide the same as per the provisions of law and preferably within a period of three months from the date of receipt of the present Order.
4. Petition is partly allowed in the aforesaid terms.
5. In view of disposal of Petition, Interim Application No. 354 of 2023 does not survive and is also disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)