

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

CRIMINAL APPEAL NO. 165 OF 2023

Ashwatha Developers

through its partner

Jignesh Kulin Gala

...Appellant

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Sandeep R. Karnik a/w Mr. Rohan Bhosale for the Appellant

Ms. P. P. Shinde, A.P.P for the Respondent No.1-State

Mr. Hiten S. Venegavkar a/w Ms. Priya Dube for the Respondent
No. 2

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.
TUESDAY, 31st OCTOBER 2023**

P.C :

1 Learned counsel for the appellant seeks leave to
withdraw the aforesaid appeal. He submits that during the
pendency of the aforesaid appeal, the State Government has
issued Notification dated 25th September 2023, by which the

properties of the appellant came to be notified and bank accounts came to be attached. He submits that in view of the subsequent developments, he be permitted to withdraw the aforesaid appeal, with liberty to file a fresh application before the trial Court for having the said properties as well as the bank accounts released, having regard to the Notification.

2 Mr. Venegavkar states that he has no objection if the appeal is allowed to be withdrawn, in view of the subsequent development i.e. issuance of notification.

3 Accordingly, the appeal is disposed of as withdrawn.

4 It is made clear that we have not gone into the merits of the appeal and as such all contentions of all parties are kept open.

5 In the event, a fresh application is filed by the
appellant challenging the attachment of the property/accounts of
the appellant before the trial Court. The learned Judge to decide
the said application as expeditiously as possible and preferably
within eight weeks from the date of filing of the application.

6 Appeal is disposed of on the aforesaid terms.

7 All concerned to act on the authenticated copy of this
order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.