

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

**INTERIM APPLICATION NO.704 OF 2022
IN
CRIMINAL APPLICATION NO.86 OF 2017**

Nitin Shankarlal Chugh

.....Applicant

Versus

State of Maharashtra

and another

.... Respondents

Mr. Mohammed Umar Kazi, Advocate for the Applicant.

Mr. Arfan Sait, APP for the Respondent No.1-State.

Ms. Minal Chandnani, Advocate for the Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 29th SEPTEMBER, 2023

P.C. :

1. Learned counsel for the Respondent No.2 pointed out that a similar application for renewal of the passport is pending before the Magistrate's Court and, therefore, the Applicant cannot prosecute the same remedy before two different Courts.

2. In response to this submission, learned counsel for the Applicant seeks withdrawal of this Application with liberty to file a fresh application in case his application is

rejected by the Magistrate. Permission is granted to withdraw this application with liberty as prayed for.

3. Learned counsel for the Applicant states that the application is pending in R.C.C. No.298/2010 before the learned J.M.F.C. Ulhasnagar Court. He submitted that directions be issued to the learned Magistrate to decide that application expeditiously. The request is reasonable. The learned Magistrate is directed to decide that application expeditiously in accordance with law.

4. Interim Application is disposed of accordingly.

(SARANG V. KOTWAL, J.)

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