

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 208 Of 2021

Jitendra Gopal Bhagat

.. Appellant

Versus

Saifan Husain Fakruddin Shaikh and
anr

.. Respondents

...

Mr. Sujay N. Gawade i/b M/s.Shree & Co. for the appellant.

Mrs.Anamika Malhotra, APP for the State/respondent no.2.

Mr.M.S. Adhav with Sanjay Jadhav and Anand Kate for
respondent no.1.

CORAM: BHARATI DANGRE, J.

DATED : 14th MARCH 2023

P.C:-

1 The learned APP raised a specific objection to the effect about the maintainability of the Appeal since by judgment dated 1/1/2020, the Addl. Sessions Judge, City Civil Court and Sessions Court, Greater Mumbai, has already dismissed the Appeal filed u/s.372 IPC, calling in question the acquittal of respondent no.2 for the offence punishable u/s.279 and Section 338 of IPC.

2 In the wake of the aforesaid objection, learned counsel for the appellant seek permission to withdraw the Appeal

by reserving the right to file such appropriate proceedings which are permissible in law.

Appeal stand disposed off.

(SMT. BHARATI DANGRE, J.)