

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 588 OF 2023**

Mangat Rai Shori And Anr

...Applicants

Versus

Central Bureau Of Investigation And Anr

...Respondents

....

Mr. Pratik Karande a/w Mr. Aditya Talpade Advocate for Applicant.

Mr. Y. Y. Dabake, APP for the Respondent – State.

....

CORAM : PRAKASH D. NAIK, J.**DATE : 26th JUNE, 2023.****P.C.:-**

1. Prayer clause (a) in this application is as follows:-

“(a) To order the certificate Exh.197 by Mr. R. Raju (PW-17), alleged to be u/s 65B of Indian Evidence Act at Exh.197 as null and void as being illegal and not in conformity with laid down law, which may be quashed, in the interest of justice.”

2. Vide order dated 16th June 2023, the application preferred by applicant viz. Criminal Application No. 282 of 2021 challenging the order passed by trial Court recalling the witness, was rejected and disposed off.

3. Learned Advocate for the applicant on instructions seeks permission to withdraw this application with liberty to urge grounds in this application during the trial.

4. In view of submission, application is allowed to be withdrawn and

stands disposed off.

5. The issues involved in this application are kept open to be adjudicated during the trial.

(PRAKASH D. NAIK, J.)