

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

CRIMINAL APPLICATION NO. 394 OF 2019

Anil Rakhmaji Choughule	..Applicant
Versus	
Anita Anil Lad & Anr.	..Respondents

Mr. Raviraj R. Paramane for Applicant.
Mr. Sachin Gite, for Respondent No.1.
Mr. A. R. Patil, APP for State/Respondent No.2.

CORAM : SARANG V. KOTWAL, J.
DATE : 4 JULY 2023

PC :

1. Learned counsel for the Respondents raised a preliminary objection that the Petitioner has an alternate remedy of approaching the Court of Sessions by way of revision application against the impugned order of issuance of process.

2. Learned counsel for the Applicant agreed with this submission. He sought liberty to withdraw this application with liberty to approach the Court of Sessions challenging the order of issuance of process. He submitted that, while considering the issue of limitation, pendency of this application before this Court may be

taken into consideration.

3. Considering these submissions from both learned counsel, the application is allowed to be withdrawn with liberty to the Applicant to approach the Court of Sessions by way of criminal revision application. If the issue of limitation is raised, the revisional Court shall take into consideration that this application was pending in this Court and was being pursued diligently by the Applicant before this Court.

4. With this observation and liberty the application is allowed to be withdrawn and is disposed of accordingly.

5. The interim order operating in this application is continued for a period of one week from today.

(SARANG V. KOTWAL, J.)