

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2264 OF 2023**

Saheb Eknathrao Desai

... Petitioner

V/s.

The State Of Maharashtra

... Respondent

Mr. Laxmikant Shrimangale for Petitioner.

Mrs. G. P. Mulekar, APP for Respondent-State.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 10th JULY, 2023.****PC. :**

1. After hearing learned Advocate for Petitioner at length and after perusing original record of investigation, when we are satisfied that, a strong *prima facie* case against Petitioner is made out, learned Advocate for Petitioner on instructions seeks leave to withdraw present Petition unconditionally.

2. It is to be noted here that, despite pointing out to Advocate for Petitioner, the settled position of law, as has been enunciated by the Hon'ble Supreme Court in the case of *State of Chattisgarh And Anr. Vs. Aman Kumar And Ors., reported in (2023) SCC Online SC 198* and our disinclination to grant relief, he continued to argue for a substantial period, consuming valuable time of Court. We therefore expressed our displeasure and were inclined to pass Order on merits. The learned Advocate therefore

on instructions submitted that, the Petitioner will pay a costs of Rs.20,000/- to Kirtikar Law Library, High Court, Mumbai within a period of two weeks from today. The said statement is accepted as an undertaking given to this Court.

3. List the Petition on 1st August, 2023 under caption 'for reporting compliance' of present Order.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

CHAITANYA
ASHOK
JADHAV

Digitally
signed by
CHAITANYA
ASHOK
JADHAV
Date:
2023.07.18
17:13:56
+0530