



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2308 OF 2023**

GEETA UDAY SWAMI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Saili N. Dhuru a/w Adv. Jogendra Thakur for the Applicant.
Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 17, 2023

P.C. :

1. Heard learned counsel for the applicant.
2. A praecipe has been moved for withdrawal of the bail application. It appears that there is some miscommunication made to the applicant that the lawyer Advocate Saili N. Dhuru who is on record did not attend the matter when it was listed on the earlier two occasions. Now a praecipe has been moved by a different lawyer for withdrawal. It seems that the applicant is under an impression that Advocate Saili N. Dhuru did not attend the matter when it was last listed on two occasions. Having perused the order sheets it is more than clear that on 06.09.2023 and 03.10.2023 when the matter was last

listed, it was on account of paucity of time that the balance board could not be taken up and hence the matter was adjourned. In this view of the matter it is apparent that there is no default on the part of the Advocate on record. These observations are necessitated in view of the communication which is placed on record by the advocate freshly appointed to represent the applicant.

3. Mr. Jogendra Thakur, learned counsel who the applicant has now requested to represent her submitted that he had no intention to make any adverse comments against the advocate on record. He submits that he was not properly instructed on behalf of the applicant and inadvertently he failed to notice the order dated 06.09.2023 passed by this Court. He tendered an unconditional apology for this lapse.

4. The lapse is bonafide. In this view of the matter, I do not wish to carry this matter any further. In any case Advocate Saili N. Dhuru, learned counsel submitted that she does not have wish to hold anything against the advocate now representing the applicant. She seeks discharge.

Advocate Saili N. Dhuru is discharged from appearing on behalf of the applicant.

5. The application is allowed to be withdrawn in view of the praecipe moved by learned counsel Mr. Thakur.

6. In view of the observations made above, the application is allowed to be withdrawn with liberty to file a fresh application for bail and disposed of accordingly. I have not observed anything on merits.

(M. S. KARNIK, J.)