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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.441 OF 2017**

Nira Bhima Shahakari Sakhar Karkhana Ltd. ... Applicant
Vs.
Prabhakar Ananta Devkar and Anr. ... Respondents

Mr. Ramdas Hake Patil for the Applicant.
Mr. Y. Y. Dabke APP for Respondent No.2.

CORAM : S. M. MODAK, J.

DATED : 6TH MARCH 2023

PC:-

1. Heard learned Advocate for the Applicant-complainant and learned APP for Respondent No.2-State.
2. The order dated 7th July 2017, passed by the Court of Judicial Magistrate, First Class, Indapur in S.C.C. No.723 of 2013, is challenged by which matter was dismissed for not taking steps on behalf of the complainant. In fact, when the matter is fixed for recording plea of Respondent No.1-accused it is the affair between the Court and Respondent No.1-accused.
3. The case for grant of special leave is made out. Respondent No.1-accused is served but he has not appeared.
4. Appeal is admitted.

4. Considering the short controversy, the Appeal can be disposed of finally on the next date.

5. Matter be kept on **27th March 2023**.

(S. M. MODAK, J.)