



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION NO.1406/2023

Jigar s/o Pareshbhai Patel .Vs. State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. D. Sharma, Advocate for applicant.

CORAM : ANIL L. PANSARE, J.

DATE : 09.10.2023

The application has been filed to direct learned District Judge-2, Special Judge designated under MCOC Act, Nagpur to decide Criminal M. A. No. 116/2021, filed by the applicant within a time bound period.

Having heard the counsel for the applicant, it appears that the applicant is informant. He alleged that he was inducted to pay to the non applicant no.2 an amount of Rs.5,00,00,000/-. Learned counsel further submits that the said amount has been seized from the non application no.2 and other accused persons. Non applicant no.2 filed couple of applications under Section 457 of the Criminal Procedure Code, 1973 seeking custody of the said amount. The applicant has also filed the application which is mentioned in the prayer clause, claiming the amount, being the owner thereof.

Learned counsel for the applicant submits that the applications filed by non applicant no.2 came to be rejected. Non applicant no.2 assailed the orders before this Court in Criminal Writ Petition Nos.703/2022, 706/2022 and 707/2022.

That being so, the trial court has not decided the application filed by the applicant, naturally for the reason that the order, that will be passed in the writ petition, will have direct bearing on the order that is likely to be passed in the application filed by the applicant.

In the circumstances, pending writ petitions, the trial Court cannot be directed to decide the application in the time bound manner. There is no merit in the application. It is, therefore, dismissed.

(Anil L. Pansare, J.)