

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.1465 OF 2022

Sheikh Rahim Sheikh Fatyamat Vs. State of Maharashtra and another

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

Court's or Judge's orders.

Shri G.M. Kubde, Advocate for applicant.
Shri S.S. Doifode, APP for non-applicant/State.
Ms S.P. Giratkar, Advocate appointed for non-applicant
no.2/victim.

CORAM : ANIL L. PANSARE, J.

DATE : MARCH 10, 2023.

On previous date i.e. on 01.03.2023, following order
was passed:

“Heard.

*2. When this Court was not inclined to grant relief to
the Applicant, learned counsel for the Applicant seeks
a week's time to take instructions to withdraw the
application.”*

2. Shri Kubde, learned counsel for the applicant submits
that the victim and her father met him. He further submits
that the Court may hear them, if intends to. He further
submits that if they do not oppose the application the
benefits could be extended to the applicant.

3. Ms Giratkar, learned counsel for the non-applicant
no.2 however submits that she does not have any such
instruction.

4. At this stage, learned counsel for the applicant, seeks permission to withdraw the application with liberty to approach afresh before the trial Court in view of the change in circumstance.

5. Permission granted. The application is dismissed as withdraw with liberty as prayed for.

6. Trial Court will however consider whether there is indeed change in circumstance.

7. Professional fees of learned counsel appointed for non-applicant no.2/victim be quantified and paid, as per Rules.

JUDGE

Wagh