



This order is corrected pursuant to the Speaking to Minutes Order dated 25.11.2024

43-REVN NO.170 OF 2021-corrected

-1-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 CRIMINAL REVISION APPLICATION NO. 170 OF 2021

Nawab Shaikh Gulam Rasul
Age : Major, Occ. : Business,
R/o. Lane No.2, Mullawada,
Near Goal Building,
At Post Tq & Dist. Dhule.

... Applicant

Versus

1. Israil @ Ismail Mohd. Ibrahim,
Age : Major, Occu. : Business,
R/o. Millat Nagar, Near Busara Hotel,
At Post Tq & Dist. Dhule.

2. The State of Maharashtra

... Respondents

...

Advocate for Applicant : Mr. Pawan B. Pawar (**Absent**)

Advocate for Respondent No.1 : Mr. Anudeep D. Sonar

APP for Respondent - State : Mr. K. K. Naik

...

CORAM : ABHAY S. WAGHWASE, J.

DATED : 18 NOVEMBER 2024

PER COURT :-

1. The present Revision Application is preferred feeling aggrieved by the judgment and order of conviction dated 10.04.2017 passed by learned Judicial Magistrate First Class, (Court No.4), Dhule in S.T.C.C. No. 1065 of 2012.

2. Revision Application seems to be instituted in November

2021. This matter appeared on board several times. Learned counsel for respondent No.1 invited attention of this court to the record and points out that as interim relief has been obtained, deliberately matter is prolonged on one or other count. He invited attention of the court to the previous orders dated 29.09.2023, 25.10.2023 and 08.11.2023 passed by this court. On its perusal, it is emerging that, on several occasions, the matter was adjourned by way of last chance and it was posted on 25.10.2023.

On 25.10.2023, this court again noted the fact that none appeared for the applicant and on submission of learned counsel for respondent no.1, matter was posted for dismissal on 08.11.2023.

On 08.11.2023, this court had again noted that none appeared for applicant and thereby issuedailable warrant which was made returnable on 05.12.2023.

Learned counsel makes a statement across the bar that, in spite ofailable warrant being executed, neither revisionist nor his counsel is present before the court and they are enjoying interim relief.

3. Today also, matter was on board and it was called twice in the morning session, but none appeared for the applicant.

Thereafter as none appeared, this court posted the matter in the afternoon. Now also, neither his counsel is present nor any steps are taken to seek adjournment.

Consequently, in view of previous orders, Revision Application stands dismissed for want of prosecution.

4. Bail bonds of revision applicant are cancelled.
5. Record and Proceedings be sent back to the trial court.

[ABHAY S. WAGHWASE, J.]