



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 CRIMINAL APPLICATION NO. 4495 OF 2023

VISHAL NANA PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
None present for applicant
APP for the respondent – State : Mr. N.R. Dayama
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 10 APRIL 2024

PC :

None was present for the applicant in the first session when the matter was called out and none is present even after the matter was passed over and again called out in the second session.

2. It is pointed out by the Office that already the request of the applicant was refused to be conceded to on merits and it is thereafter that he has filed criminal application no. 892 of 2023 which was disposed of by order dated 15-03-2023 by a division bench to which one of us (Mangesh S. Patil, J.) was a party.

3. This is gross abuse of the process of law. The earlier application for quashment was heard and the Court had expressed its dis-inclination to grant any relief on merits that the applicant had withdrawn the application without seeking any liberty to file another application for the selfsame relief. The practice is condemned.

4. We dismiss the application by imposing costs of Rs.5,000/- (Rs. Five Thousand) on the applicant which he shall deposit within four weeks else the recovery shall be made as if it is arrears of the land revenue.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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