

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1619 OF 2023

Dhaval Ramlallan Tiwari	 Applicant
versus	
State of Maharashtra	 Respondent

**WITH
INTERIM APPLICATION NO.234 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.1619 OF 2023**

Poonam Shivprakash Pandey	 Intervenor
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IN THE MATTER BETWEEN :

Dhaval Ramlallan Tiwari	 Applicant
versus	
State of Maharashtra	 Respondent

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- None present for Applicant
- Ms. Mahalakshmi Ganapathy, APP for the State/Respondent.
- Mr. Samarth Moray (appointed advocate) for Informant.

**CORAM : SARANG V. KOTWAL, J.
DATE : 14th MARCH, 2024**

P.C. :

1. In this application, the Applicant has sought anticipatory bail in connection with C.R.No.552/2022, registered at Borivali Police Station, Mumbai.

2. The Applicant was granted ad-interim relief that no coercive action be taken against him till the next date. This order was passed on 08/06/2023 by Her Ladyship Smt. Justice Anuja Prabhudessai. Thereafter on 14/06/2023 Her Ladyship had interacted with both the parties as they had expressed their desire to settle their dispute amicably. Thereafter, the matter was directed to be listed on 21/06/2023. Ad-interim relief was not specifically continued. The matter was next listed on 06/07/2023. It was observed that mediation talks were still in progress. On 13/07/2023, it was directed to be listed on 27/07/2023. However, on this occasion, the interim relief was directed to be continued till the next date. That matter remained pending. On 02/01/2024 learned counsel Mr. Abhay Bhoir had appeared in the application. After that, the matter was listed on 06/03/2024. At that time, nobody had appeared for the Applicant. The informant made a grievance that the Advocate appointed for her was not attending the matter and therefore I had appointed learned counsel Mr. Samarth Moray.

3. The matter was directed to be listed on 08/03/2024 on the supplementary board. On that date, nobody had appeared for the Applicant. Therefore, to give one more chance to the Applicant, the application was directed to be listed on today's board under the caption 'for dismissal'. Even today, nobody appears for the Applicant.
4. It appears that the Applicant is not interested in prosecuting this application. Therefore the application is dismissed for non-prosecution.
5. The Legal Aid Authority of this Court is requested to pay the fees of the learned counsel appointed for the informant in accordance with rules.
6. The Intervention Application is also disposed of.

(SARANG V. KOTWAL, J.)