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

BAIL APPLICATION NO.3212 OF 2023

MUKESH BHAVARLAL SINGHADIA ..APPLICANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Tohid Shaikh i/b. Adv. Anjali Patil for the applicant.
Mr. Swapnil V. Walve, APP for the State.
Adv. Meghna Gwalani for respondent No.2.

CORAM : M. S. KARNIK, J.

DATE : APRIL 17, 2024.

P.C. :

- 1.** Heard learned counsel for the applicant, learned APP for the State and learned counsel for respondent No.2.
- 2.** Learned counsel for the applicant on instructions seeks leave to withdraw this application with liberty to file a fresh application after three months or after the evidence of the child witness under Section 35(1) of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) is recorded by the trial Court, whichever is earlier.
- 3.** Considering that the applicant is in custody since 09.05.2022, the trial Court is requested to record the

evidence of the child witness in view of the mandate of Section 35(1) of the POCSO Act preferably within a period of three months from the date when this order is placed for its consideration.

4. The application is allowed to be withdrawn with liberty as prayed for and disposed of accordingly.

5. I appreciate the assistance rendered by Advocate Meghna Gowalani, who appeared on behalf of respondent No.2 at my request. Her engagement be regularised by the Maharashtra State Legal Services Authority.

(M. S. KARNIK, J.)