

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

**INTERIM APPLICATION NO. 2295 OF 2024
IN
CRIMINAL REVISION APPLICATION NO. 534 OF 2019**

Padmasinh Bajirao Patil

...Applicant

vs.

Central Bureau Investigation and Anr.

...Respondents

Mr.Girish Kulkarni – Senior Advocate a/w Mr.Bhushan Mahadik, Ms.Pallavi Pukale, Ms.Nikita Pawar i/b. Mahadik and Associates:-	Advocate for Applicant in Interim Application.
Mr.Kuldeep S. Patil a/w Mr.Nikhil G. Hire, Ms.Sampada S. Patil:-	Advocates for Respondent No.1 – CBI.
Mr.A.S.Gawai:-	APP for Respondent No.2-State.

CORAM : S. M. MODAK, J.

DATED : 2nd JULY 2024

P. C. :

1. Heard learned Senior Advocate Shri.Kulkarni for the Applicant-Accused and learned Advocate Shri.Kuldeep Patil for the CBI.
2. As recorded in the order dated 26th June 2024, today the matter

is fixed for hearing Mr.Patil. Because, he was expected to take instructions. He has also taken instructions. According to him, one purshis was filed on behalf of the Accused No.1 before the trial Court on 25th April 2024. He has pleaded they will seek modification from the High Court. According to Mr.Patil, the order which is passed in the disposed of Revision cannot be modified. I agree with him.

3. There is some dispute whether clarification from this Court is required as orally directed by the Sessions Court (as per applicant's contention) or whether it is a wish of this Applicant. I have read the roznama dated 3rd May 2024 wherein, there is a recording that the Accused will seek clarification from this Court.

4. Let us not go into the issue whether this is an oral direction of the Court or a wish of the Accused. When the Applicant has already filed an Application before the Sessions Court on 8th May 2024, let the Court seized of the matter to decide that Application as per its own merits. There cannot be a modification of the order in disposed of Revision Application. This Court has not expressed any opinion about the merits of the claim. That is to say *'whether the application is maintainable in view of evidence of accused/approver or it is not*

maintainable'. Let the trial Court to decide it on its own merits.

5. In view of that, **Interim Application stands disposed of.**

[S. M. MODAK, J.]