

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4533 OF 2024
IN
CRIMINAL APPLICATION NO.1170 OF 2009

Jilani Akbar Kokani	...Applicant
<u>IN THE MATTER BETWEEN:</u>	
Jilani Akbarsaheb Kokani	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Shantanu Chandratre, Advocate, for the Applicant.
Mr. C. D. Mali, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 13th NOVEMBER 2024

PC:-

1. This Interim Application is preferred seeking the directions to the learned Trial Court not to proceed with Criminal Case No.300 of 2008 till the pendency of present Criminal Application No.1170 of 2009.

2. Mr. Chandratre, learned Counsel appearing for the Applicant states that a learned Single Judge has passed the following order on 2nd May 2009:

“Heard learned Counsel appearing for Petitioner. Perused the complaint. Arguable questions are raised.

Rule, returnable early. Rule on interim relief made returnable on 17th July, 2009.

There will be ad-interim relief in terms of prayer clause “b” till 31st July 2009.”

3. Thereafter, the said order has been continued till further order by order dated 17th July 2009. The said order reads as under:

“1. Learned advocate for the applicant to serve copy of the petition to the advocate for the second respondent. The application shall be placed for hearing as to interim relief on 13th August 2009. Ad-interim relief granted earlier is extended till further orders.”

4. It is clear that ad interim relief is granted in terms of prayer clause (b) which has been extended by above referred further order dated 17th July 2009. The said prayer clause (b) reads as under:

“That pending the hearing and final disposal of this Petition this Hon’ble Court be pleased to stay the proceedings in Criminal Case No.300 of 2008.”

5. Thus, it is clear that proceedings in Criminal Case No.300 of 2008 are stayed. Accordingly, the concerned Court is directed not

to proceed with Criminal Case No.300 of 2008 till the final disposal of this Criminal Application No.1170 of 2009.

6. Accordingly, the Interim Application No.4533 of 2004 in Criminal Application No.1170 of 2009 is disposed of in above terms.

[MADHAV J. JAMDAR, J.]

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