



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.886/2023

(Ajay Pratap Singh Vs. The State of Maharashtra and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. E.S. Sahastrabuddhe, Advocate for the applicant.
Mr. K.H. Bhondge, A.P.P. for non-applicant No.1/State.

CORAM: VINAY JOSHI & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 30.8.2024.

Heard.

2. Unusual facts have come to the notice of this Court. Applicant Ajay Singh has initially filed Criminal Application (APL) No.886/2023 seeking to quash F.I.R. in Crime No.0217/2023. The said application came to be filed on 5.7.2023 through Advocate Sahastrabuddhe. The said application is still pending. It is brought to our notice that during pendency of said application, the same applicant Ajay Singh had filed another Criminal Application (APL) No.995/2024 on 18.7.2023 through Advocate Mr. Vyas. The subsequent application claiming the same relief was disposed of as allowed in view of settlement in between the parties on 8.1.2024. In subsequent application pendency of earlier was suppressed.

3. In said background, when this application (A.P.L. No.886/2023) has come before us Advocate Mr. Sahastrabuddhe has brought to our notice said facts. We have called Mr. Vyas, who on instructions, stated that the applicant was much worried about the trouble caused by the informant that is why in hurried manner gave instructions to him for filing second application. Anyhow it is a matter of record that

applicant without seeking permission to withdraw the earlier application has filed another application by suppressing pendency of earlier application and proceeded with the subsequent one.

4. Learned Advocate Mr. Vyas on our request has contacted the applicant who has tendered unconditional apology by stating that he was unaware about the procedural aspects. Be that as it may, it is a fact that the applicant had filed subsequent application by suppressing earlier one. Mr. Vyas, learned Advocate would submit that the applicant is ready to deposit Rs.10,000/- towards costs.

5. In view of above, nothing survives in this application. It is disposed of accordingly.

6. The applicant shall deposit Rs.10,000/- with the High Court Bar Association within two weeks.

7. Stand over to 12.9.2024 for noting compliance.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)