



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 108 OF 2024

NISHED S/O MAHADEORAO WASNIK

Vrs.

STATE OF MAHARASHTRA

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Parth C. Malviya, Advocate for applicant.
Shri Bhagwan M. Lonare, APP for respondent-sole.

CORAM: ANIL L. PANSARE, J.

DATE : 16/04/2024.

1. This Court on 28/02/2023 in Criminal Application (BA) No. 1409/2022 filed by the present applicant, passed the following order :-

"After having heard the application at length, when this Court was not inclined to grant relief, the learned counsel for the applicant, on instructions from the wife of the applicant, seeks permission to withdraw the application with liberty to approach this Court after six months, if the trial is not commenced.

2. To my mind, liberty to withdraw the application can be granted. However, I am not inclined to expedite the trial nor am I inclined to grant liberty to approach this Court afresh after six months. The purpose will be served if the application is allowed to be withdrawn in following terms.

ORDER

(i) The application is allowed to be withdrawn with liberty to the applicant to approach the trial Court afresh once material witnesses are examined in the trial.

(ii) The list of ten material witnesses shall be furnished to the trial Court by the prosecution immediately after framing the charges and those witnesses shall be examined as expeditiously as possible.

(iii) The applicant is at liberty to make request to the trial Court for expeditious disposal of the trial. If the request is so made, it shall be considered by the trial Court, considering its docket.

(iv) The copy of the order shall be placed before the learned trial Court, who shall take note of the aforesaid facts and shall note the same in the roznama."

2. The Trial Court shall file on record the report as regards the steps taken by the parties and the District Judge-1 and Additional Sessions Judge, Nagpur to comply the order on or before 24/04/2024.

3. **Registry to ensure that the report is received by next date.**

[ANIL L. PANSARE, J.]