



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 2772 OF 2025
IN WP/755/2025**

Samiuddin Kamroddin Kazi

.. Applicant

Versus

Ayyub Khan Sher Khan And Another

.. Respondents

Mr. Farooqui Kamaloddin Nuruddin, Advocate for the Applicant.
Mr. S. B. Jadhav, APP for Respondent No. 2.

CORAM : KISHORE C. SANT, J.

DATE : 19th AUGUST, 2025.

PER COURT :-

. This application is filed seeking modification in the order passed by this Court dated 04.07.2025. This Court by the said order dismissed the writ petition with cost of Rs. 25,000/- (Rs. Twenty Five Thousand only). By way of this application, the applicant seeks permission to withdraw the petition or to reduce the cost.

2. In view of Section 403 of the Bharatiya Nagarik Suraksha Sanhita (Section 362 of the Code of Criminal Procedure), the judgment of the Criminal Court cannot be altered except for

correcting clerical or arithmetical errors.

3. Considering the above, this Court finds that, since the Court has become *functus officio*, the Court does not have power to modify the order passed by the Court. The application is thus without any provision or law. The same deserves to be dismissed.

4. The application is thus disposed of as dismissed.

(KISHORE C. SANT, J.)

P.S.B.