

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

CRIMINAL APPLICATION NO.28 OF 2025

Anand Dinkar Wagh

... Applicant

Vs.

The State of Maharashtra and Anr.

... Respondents

Mr. Vivek D. Sharma, Advocate for the Applicant.

Mr. A. K. Goel, a/w Mr. V. Goel, Advocates for Respondent No.2.

Ms. Shilpa G. Talhar, APP for State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th DECEMBER, 2025.

P.C. :

1. By the present Bail Application the Applicant had sought for the following substantive relief:-

(a) That this Hon'ble Court be pleased to issue a writ, order or direction under 528 of the Bhartiya Nagrik Suraksha Sahita 2023 by calling the records and proceedings of CC No.2168/PS/2016 pending before the Ld. ACMM, 9th Court at Bandra, Mumbai and after going through the validity and legality of the same, quash and set aside the process issued by the learned ACMM and all proceedings consequent thereto;

2. Mr. Vivek Sharma, learned Advocate for the Applicant on instructions from the Applicant craves leave of this Court to withdraw the present application. He however submits that the proceedings which are subject matter of the present application were instituted in the year

2016. He submits that apart from recording plea, the proceedings have not travelled further. He submits that the Applicant as well as the Respondent No.2 are senior citizens (above 60 years of age). He submits that the subject matter of the proceeding is a matrimonial discord. He therefore request that the proceedings bearing Criminal Case No.2168 / PS/ 2016 pending on the file before the Additional Chief Metropolitan Magistrate 9th Court at Bandra, Mumbai, be expedited.

3. Mr. A. K. Goyal, learned Advocate for Respondent No.2 does not object to the request of withdrawal made by the Applicant. He submits that the Respondent No.2 being a senior citizen would be interested in the early disposal of the proceedings bearing Criminal Case No.2168 / PS/ 2016 pending on the file before the Additional Chief Metropolitan Magistrate 9th Court at Bandra, Mumbai.

4. In view of the above, leave to withdraw Criminal Application No.28 of 2025 is granted.

5. Considering the joint request made by Mr. Sharma, learned Advocate for the Applicant and Mr. Goyal, learned Advocate for Respondent No.2, as also taking note of the pendency of the subject proceedings since the year 2016, the Additional Chief Metropolitan

Magistrate 9th Court at Bandra, Mumbai is requested to make an endeavour to dispose of the Criminal Case No.2168 /PS/ 2016 as expeditiously as possible and at any rate within a period of six months from 1st January, 2026.

6. Mr. Sharma, as well as Mr. Goyal on instructions from their respective clients submit that both of them would cooperate with the Court for the early disposal of the said proceedings. Mr. Sharma undertakes to place this order before the Additional Chief Metropolitan Magistrate 9th Court at Bandra, Mumbai within two weeks from today. Statements made by the learned Advocates is accepted.

7. Criminal Application No.28 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)