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

CRIMINAL APPLICATION NO.744 OF 2026

Nitin Manguesh Kantak : Applicant.
Versus.
The State of Maharashtra and anr. : Respondents.

Mr. Arshad Shaikh, Senior Advocate a/w Mr. S Singh i/by Mr.
Veerdhawal Deshmukh for the Applicant.
Mrs. Rajeshree Newton, APP for the Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 22 APRIL 2026

PC:-

1. Mr. Arshad Shaikh learned Senior Advocate for the Applicant, on instructions from the Applicants, seeks leave to withdraw the present Criminal Application with liberty to approach the Revisional Court by filing a Criminal Revision Application under Section 438 of the BNSS.
2. Mrs. Rajeshree Newton, learned APP for the Respondent/State, does not object to the request made by Mr. Arshad Shaikh, learned Senior Advocate for the Applicant.
3. In view of the statement made by Mr. Arshad Shaikh, learned Senior Advocate for the Applicant, leave granted to

withdraw the present Criminal Application with liberty to file a Criminal Revision Application before the Sessions Court having jurisdiction.

4. Mr. Arshad Shaikh, learned Senior Advocate for the Applicant, states that the Criminal Revision Application, along with an Application seeking condonation of delay, will be filed within four weeks from today. He submits that, as the Applicant was pursuing this Application bona fide and in good faith, the Sessions Court be directed to consider the Application for condonation of delay liberally.

5. If the proposed Criminal Revision Application is filed within four weeks from today, along with an Application seeking condonation of delay, the request for condonation of delay, after hearing the parties, be considered on its own merits in accordance with law, with a liberal approach.

6. All contentions of the parties are left open.

7. Criminal Application No.744 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)