

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

**CRIMINAL APPLICATION NO.262 OF 2011
IN
CRIMINAL WRIT PETITION NO.2331 OF 2009**

Mr.Chandraprakash Srivastav. ..Applicant.

Vs.

**The State of Maharashtra
and another.**

..Respondents.

.....

Mr.A.M. Saraogi, Advocate for the Applicant.

Mr.P.S. Hingorani, A.PP for the State.

.....

**CORAM : A.R. JOSHI, J.
[VACATION COURT]**

DATED : 31st MAY, 2011.

P.C.

- 1. Heard rival submissions for sometime on this application preferred in Writ Petition No.2331 of 2009.**
- 2. Reportedly and as admitted by the State also, the passport is presently lying with the 22nd Metropolitan Magistrate's Court, Andheri, Mumbai instead of lying with the Sessions Court which is seized of the Sessions Case No.638 of 2008.**

3. In view of the above factual position, the order dated 3rd May, 2011 passed by this Bench in Criminal Application No.484 of 2010 is modified to the following extent i.e. in clause [ii] of the final order, the words regarding “Sessions Court” be substituted for the words “22nd Metropolitan Magistrate Court, Andheri, Mumbai”. Said Metropolitan Magistrate's Court to act on the authenticated copy of this order.
4. Criminal Application is disposed of accordingly.

(A.R. JOSHI, J.)