

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CRL.) NO(s). 83 OF 2013

S.G. AGGARWAL

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(With application for interim Relief, directions, permission to file additional documents and office report)

Date: 21/02/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. Karan Bharihok, Adv.

Mr. Vinod R. Gupta, Adv.

Mr. Rakesh Dahiya, Adv.

For Respondent(s)

Mr. Shankar Chillagre, Adv.

Mr. Aniruddha P. Mayee, Adv.

UPON hearing counsel the Court made the following

O R D E R

In this writ petition, the petitioner has challenged sub-section 4 of Section 438 of the Code of Criminal Procedure as inserted by the Maharashtra Act 24 of 1993 providing that the presence of the petitioner in Court may be required by the Court while considering the prayer for anticipatory bail if the Public Prosecutor makes such a request to the effect.

Learned counsel for the petitioner states that he wants to withdraw this writ petition leaving the question of law open.

The writ petition is dismissed. However, the question of law is left open to be decided in some other case.

[KALYANI GUPTA]

COURT MASTER

[SHARDA KAPOOR]

COURT MASTER