

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

CRIMINAL WRIT PETITION NO. 96 OF 2015

Dr. Saurabh Shivhar Yelurkar and ors.

...Petitioners

VERSUS

The State of Maharashtra & anr.

...Respondents

.....

Smt. Madhveshwari Mhase Thube, advocate for petitioners

Shri B.L.Dhas, A.P.P. for respondent/State

.....

CORAM : A.B.CHAUDHARI & INDIRA K.JAIN, JJ.

DATED : 4th SEPTEMBER, 2015

ORDER :

1] Following is the prayer clause (BB) in the present Writ Petition.

"BB) By an appropriate order quash and set aside the charge sheet bearing Charge Sheet No. 24/2015 dated 28.01.2015 in Crime No. I-291/2014 dated 16.11.2014 registered with Gangakhed Police Station District Parbhani, for offence punishable U/Sec. 498(A), 504, 506 r/w 34 of the Indian Penal Code and for that purpose issue necessary orders. "

2] In view of filing of charge sheet, we are unable to hold one way or the other to find out what is correct and what is wrong. That exercise can be undertaken only before the Trial Magistrate. That being so, we make the following order.

ORDER

Criminal Writ Petition No. 96 of 2015 is disposed of, with liberty to the petitioners to apply for discharge, if so advised in view of filing of the charge sheet.

[INDIRA K.JAIN, J.]

[A.B.CHAUDHARI, J.]

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