

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1839 OF 2015

- 1) Vakarali s/o Rahatali Kazi,
- 2) Rahatali Janali Kazi,
- 3) Tahasinbi Rahatali Kazi,
- 4) Soheli Rahatali Kazi

...APPLICANTS

VERSUS

- 1) The State of Maharashtra,
- 2) Ujmeshirin w/o Vakarali Kazi

...RESPONDENTS

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Mr.Prakashsing B. Patil Advocate for Applicants.
Mr.M.M. Nerlikar, A.P.P. for Respondent No.1.
Mr.N.R. Shaikh Advocate for Respondent No.2.

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**CORAM: A.B. CHAUDHARI AND
INDIRA K. JAIN, JJ.**

DATE : 13TH OCTOBER, 2015

ORDER :

1. In view of the filing of the charge-

sheet, we think that the Applicants should be relegated to the alternate efficacious remedy of filing application for discharge before the trial Court. Learned counsel for the Applicants submits that even charge-sheet has been challenged in this Application.

2. Even though charge-sheet has been challenged in this Application, we are unable to entertain the Application, as it is not possible for us to evaluate the charge-sheet and come to a concrete conclusion that the charge-sheet is false. We, therefore, make the following order:-

O R D E R

(I) Criminal Application No.1839 of 2015 is disposed of reserving liberty in favour of the Applicants for filing Application for discharge, in view of filing of the charge-sheet.

(II) If such application for discharge is filed, the same shall be decided within four months from the date of filing such application.

[INDIRA K. JAIN, J.]

asb/OCT15

[A.B. CHAUDHARI, J.]