

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2090 OF 2015

- 1) Rahul Popatrao Padale,
- 2) Popatrao Sonaji Padale,
- 3) Mangal w/o Popatrao Padale,
- 4) Ramakant Popatrao Padale,
- 5) Varsha w/o Ramakant Padale,
- 6) Urmila w/o Deepak Salve,
- 7) Deepak Saiji Salve

...APPLICANTS

VERSUS

- 1) The State of Maharashtra,
- 2) Swati Rahul Padale

...RESPONDENTS

...

Mr. Nitin V. Gaware Advocate for Applicants.
Mr. B.L. Dhus, A.P.P. for Respondent No.1.
Mr.G.R. Syed Advocate for Respondent No.2.

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

DATE : 1ST SEPTEMBER, 2015

ORDER :

1. Heard learned counsel for the parties.

2. Learned counsel for the Applicant vehemently argued that the allegations in the FIR as well as statement under Section 161 of Cr.P.C. made by the complainant are too vague and of general nature. He cited decision in the case of **Geeta Mehrotra and another vs. State of U.P. and another, reported in 2013 A.I.R. (SC) 181.**

3. Per contra, learned counsel for Respondent opposed the application and submitted that since the charge-sheet has already been filed before the trial Judge, the assessment of evidence will have to be made. That being so, we make the following order:

O R D E R

(A). Criminal Application No.2090 of

2015 disposed of reserving liberty in favour of the Applicants to apply for discharge, if so advised.

(B) All contentions raised are kept open.

(C) If application for discharge made, the same shall be disposed of within three months from the date of filing of the application.

[INDIRA K. JAIN, J.]

asb/SEP15

[A.B. CHAUDHARI, J.]