

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 2214 OF 2015

SATISH S/O SURESH KOTHARI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Shaikh Mazhar A. Jahagirdar
APP for Respondent No.1 : Mr. B. L. Dhas.

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

DATE : 02nd September, 2015.

Per Court:

. Heard the learned counsel for the rival parties.

2 The learned counsel for the Applicants submits that though the charge-sheet is said to have been filed, the Applicants have a strong *prima-facie* case for quashing the FIR.

3 In view of filing of the charge-sheet, we think that the FIR has merged into the final investigation report, and therefore, the Applicants to approach the trial Judge for discharge, if so advised. Hence, the following order:

ORDER

- I. Criminal Application No.2214 of 2015, is disposed of with liberty in favour of the Applicants to apply for

discharge since the charge-sheet has been filed before the learned trial Judge.

- II. If the application for discharge is made, the same shall be decided within a period of three months from the date of filing of the application.

[INDIRA K. JAIN, J.]

[A. B. CHAUDHARI, J.]

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