

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

Criminal Writ Petition No.647 of 2015

Dr. Shrikant Ramesh Kulkarni. .. **Petitioner.**

Versus

The State of Maharashtra
And Another. .. **Respondents.**

Shri. Sunil A. Kulkarni, Advocate, for petitioner.

Shri. S.A. Ambad, Additional Public Prosecutor, for
respondent No.1.

CORAM: T.V. NALAWADE, J.

DATE : 18th JUNE 2015

ORDER:

1) The petition is filed to challenge the order made by the learned Judicial Magistrate, First Class, Yawal on Exhibit 10 in Regular Criminal Case No.119/2013. The application was filed by original complainant for holding that case can be made out for offence punishable under section 307 of the Indian Penal Code and make order accordingly. Charge sheet is filed for offence punishable under section 326 of the Indian Penal Code.

2) Thus it is a case of refusal for taking cognizance of the matter for commission of offence punishable under section 307 of the Indian Penal Code. This order is certainly revisable and revision can be filed in the Court of Session. In view of this, learned counsel for the petitioner, on instructions, submits that he be allowed to withdraw the petition with liberty to file revision. The petition is disposed of as withdrawn with the aforesaid liberty.

Sd/-
(T.V. NALAWADE, J.)

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