

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 2561 OF 2015

VIRAJ S/OVIJAY ROHMARE
VERSUS
THE STATE OF MAHARASHTRA & ORS

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Advocate for Applicant : Mr. Suryawanshi Nitin B.
APP for Respondent No.1: Mr. P. N. Mule.

CORAM: T. V. NALAWADE, J.
DATED: 15th JUNE, 2015.

PER COURT:

1. The application is filed to challenge the order made on Exhibit-59 in R.C.C. No. 356 of 2011 which is pending in the Court of learned J.M.F.C., Kopargaoan.
2. The case is filed by present petitioner and in that case initially order under section 156 (3) Cr.P.C. was made. It appears that negative report is submitted by police in that matter and after that the learned J.M.F.C. has given opportunity to the petitioner to produce material to make out a case for issuance of process is made.

3. It is the case of the petitioner that out of the same incident criminal case is filed against him which is bearing R.C.C. No.356 of 2011. It is the case of the petitioner that unless and until some order is made in R.C.C. No.230 of 2011 which is filed at his instance it is not desirable to make progress in R.C.C. No.356 of 2011 as the two cases will be counter cases of each other. At present the cognizance of the matter i.e. Offence in R.C.C. No.230 of 2011 is not yet taken and so there is no question of considering that case as counter case. Thus no relief can be given. However, at the request of learned counsel for the Applicant, direction is given to learned same J.M.F.C. to expedite the matter RCC No.230 of 2011 and pass further order which he may deem proper, within a period of 30 days from receipt of this order.

4. The application is disposed of in aforesaid terms.

[T. V. NALAWADE, J.]

Dt.15/06/2015
ans/2561