

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

CRIMINAL APPLICATION NO. 2955 OF 2015

SUBHASH S/O BALIRAM RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Chandrakant V. Thombre.
APP for Respondent Nos.1 and 2 : Mr. S. B. Yawalkar.

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

DATE : 09th October, 2015.

Per Court:

. Heard the learned counsel for rival parties.

2 It is not in dispute that the order asking the Police not to file charge-sheet was not communicated to the concerned Police Station Officer within time. The charge-sheet was already filed by the time the order was communicated. We do not find any fault with the Investigating Officer in doing so since it was equally the responsibility of the Applicant to obtain the interim order and to serve the said order on the concerned Investigating Officer and obtain acknowledgment.

3 In that view of the matter, since the charge-sheet has been filed, we do not think that we should entertain this application for evaluating the charge-sheet and finding out whether the investigation material

collected by the Investigating Officer is true or false. It is not possible for us to enter into that arena and therefore, we make the following order:

ORDER

Criminal Application No.2955 of 2015 is disposed of reserving liberty in favour of the Applicants to apply for discharge, if so advised, after filing of the charge-sheet before the trial Judge.

[INDIRA K. JAIN, J.]

[A. B. CHAUDHARI, J.]

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