

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

CRIMINAL APPLICATION NO. 3107 OF 2015

Smt. Manisha Wd/o Nitin Kabra
@ Sow. Manisha w/o Babulal Mantri ...Applicant

VERSUS

The State of Maharashtra & ors. ...Respondents

.....
Shri M.A.Tandale, advocate for applicant
Shri M.M.Nerlikar, A.P.P. for respondent/State
Shri R.S.Kulkarni, advocate for respondent no.3
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CORAM : A.B.CHAUDHARI & INDIRA K.JAIN, JJ.
DATED : 4th SEPTEMBER, 2015

ORDER :

- 1] Heard learned counsel for rival parties.
- 2] Learned Additional Public Prosecutor states that investigation has been completed, but charge sheet could not be filed in view of grant of interim relief by this court.
- 3] Learned counsel for the appellant vehemently submitted that the statements of witnesses recorded by the police adverse to the interest of applicant are obviously procured and false, and therefore, interference under Section 482 of the Code of Criminal Procedure ought to be made by this court.
- 4] We have perused the statements and other papers showed to us by the learned counsel for the State. Upon conspectus of the facts, we are of the opinion that it is not possible for us to record any finding of facts either way. The only way out for the applicant now is to file application for discharge, if so advised after

filing of the charge sheet.

5] In view of above, we make following order.

ORDER

Criminal Application No. 3107 of 2015 is disposed of with liberty to the applicant to apply for discharge, if so advised after filing of the charge sheet.

Let the charge sheet be filed within four weeks.

[INDIRA K.JAIN, J.]

[A.B.CHAUDHARI, J.]

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