

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

CRIMINAL APPLICATION NO. 4159 OF 2015

Smt.Mumtaz Dilawar Mansuri

.... **APPLICANT**

V E R S U S

The State of Maharashtra & Ors.

.... **RESPONDENTS**

.....

Mr. R.S.Sadaphule, Advocate for Applicant.

Mr. A.S.Shinde, A.P.P. for R.No.1 – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 14th AUGUST, 2015

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PER COURT :

1. By the present application, original complainant is questioning the order passed by the Judicial Magistrate First Class, Pathardi, by which the learned Magistrate issued process against the accused persons for the offences punishable u/s 323,324,304 part II read with 34 of the Indian Penal Code. According to the complainant, learned Magistrate ought to have issued process u/s 302 in stead of 304 part II of the Indian Penal code. In that view of the matter, applicant will have to file Revision before the revisional Court.

2. Hence, permission is granted to the applicant to withdraw the present Criminal Application and to file Revision before the revisional Court.

3. Revisional Court is directed to consider the application filed on behalf of the applicant for condonation of delay in accordance with law.

4. With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]