

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4434 OF 2011

Chandulal s/o Jagannath Choudhari,
Age-51 years, Occu:Service,
R/o-5-A, Suraj-Kesri Nagar,
Korit Road, Nandurbar

...APPLICANT

VERSUS

- 1) The State of Maharashtra,
Through Police Inspector,
Navapur Police Station,
Nawapur, Tq-Nawapur,
Dist-Nandurbar,
- 2) Babita d/o Neradcha Mawachi,
Age-19 years, Occu:Education,
R/o-Khekda, Tq-Navapur,
Dist-Nandurbar.

...RESPONDENTS

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Mr.Amit A. Mukhedkar Advocate for Applicant.
Mr.B.L. Dhus, A.P.P. for Respondent No.1.
Mr.P.S. Patil Advocate for Respondent No.2.

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

DATE : 7TH SEPTEMBER, 2015

ORDER :

. Heard learned counsel for the Applicant. Seen the F.I.R., so also the supplementary statement recorded by the police.

2. Learned counsel for the Applicant vehemently contends that the allegations in the F.I.R. as well as supplementary statement are false and baseless. No offence is made out. The Applicant is falsely implicated.

3. We are unable to accept the submissions of the learned counsel for the Applicant in exercise of our jurisdiction under Section 482 of Cr.P.C. Since the charge-sheet has been filed before the trial Judge, we think that it would be appropriate for the Applicant to apply for discharge, if so advised. We also take note of the fact that charge-sheet has been filed despite the interim order passed by this Court. But, then that

is a different matter. Hence, we make the following order:-

O R D E R

. Criminal Application No.4434 of 2011 is not entertained and disposed of, with liberty to the Applicant to apply for discharge, if so advised, in view of filing of the charge-sheet.

[INDIRA K. JAIN, J.]

asb/SEP15

[A.B. CHAUDHARI, J.]