

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 1172 OF 2014**

LAXMAN RAMRAO POTPHALE

VERSUS

THE STATE OF MAH.

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Advocate for Petitioner : Mr. Suryawanshi Nitin B.

APP for Respondent/State : Mr. V.D. Godbharale

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CORAM : S.S. SHINDE & A. I. S. CHEEMA, JJ.**Dated: July 02, 2015**

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PER COURT :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the Respondent/Stat.

2. The learned Additional Public Prosecutor, on instructions, submits that, the charge-sheets are already filed in respect of crime no. 200 of 2013 registered with Vazirabad Police Station, Nanded for offence punishable under Section 420, 464, 465, 468, 471, 201 of I.P. Code, Crime No. 10 of 2014 registered with Sonkhed Police Station, Dist. Nanded for the offence punishable under Sections 109, 197, 198, 406, 409, 420, 467, 468, 471 r/w 34 of I.P. Code and Crime No. 38 of 2014 registered with Shivaji Nagar police Station Nanded for the offence punishable under Sections 420, 467, 468, 471, 109 r/w 34 of I.P. Code.

3. The learned counsel appearing for the

petitioner submits that, the petitioner may be granted liberty to approach the trial Court for further investigation.

4. In the light of the judgment of the Supreme Court in the case of **Sakiri Vasu V/s State of Uttar Pradesh**¹ and others, and more particularly paras 16, 18, 24 of the said judgment, we grant liberty to the petitioner to approach trial Court. In case, such application is filed by the petitioner before the trial Court, the trial Court to consider it on merits and then take appropriate decision.

5. The Petition stands disposed of in the above terms.

(**A. I. S. CHEEMA, J.)**

(**S.S. SHINDE, J.)**

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sga/-

¹ 2008 All SCR 1890