

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

5 CRIMINAL WRIT PETITION NO. 1290 OF 2015

SATISH S/O DATTATRAY MANE
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Advocate for Petitioner : Mr N B Narwade
APP for Respondents: Mr M M Nerlikar
Mr. N.V.Gaware Advocate for intervenors.

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: December 04, 2015

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PER COURT :-

1. Mr. Narwade, the learned counsel for the petitioner submits that, in fact, the charge is also required to be framed under section 302 of the Indian Penal Code against the accused persons. The Investigating Officer is not taking efforts in this regard.
2. We have heard the learned APP also.
3. It is for the Court to frame the charge after submissions of the charge sheet. The Court dealing with the trial has ample power in this regard. The investigating officer and the parties can assist the Court at the time of framing charge.
4. Considering the above, writ petition is disposed of. The Court dealing with the trial shall consider the charge sheet and frame the charges accordingly.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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