

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
CRIMINAL APPLICATION (APL) No. 450 OF 2014

Pawan Nagorao Muneshwar

Vrs.

The State of Mah. through P.S.O. , P.S. Digras, Dist. Yavatmal and another. .

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri R.J. Shinde, counsel for applicant.
 Shri Mirza, AGP for State.

**CORAM : A.B.CHAUDHARI AND
 P.N. DESHMUKH, JJ.**

DATED : FEBRUARY, 24th , 2015.

The offence in question is of the rape under section 376 of Indian Penal Code for which applicant wants to invoke power under Section 482 of the Code of Criminal Procedure.

In the light of the Supreme Court decision in the case of **Gyan Singh Vrs. State of Punjab** reported in **2912(10) SCC 303** and the warning issued therein about exercise of power in serious offence of rape, we think the applicant should be relegated to the alternate remedy. Hence, we make the following order.

ORDER.

Criminal Application (APL) No. 450 of 2014 is disposed off relegating the applicant to take recourse to alternate remedy under the Code.

JUDGE

JUDGE