

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APL) NO. 546 OF 2015

(Shriram Govinda Wayal & 5 others Vs. Sau. Janabai w/o Ramdas Shingne)

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

Court's or Judge's orders

CORAM : A. B. CHAUDHARI, J.
: 23 NOVEMBER, 2015

Learned Counsel for the applicants told on the last occasion that the revision was filed by the applicants before the Sessions Judge against interlocutory order in pending criminal case. The learned Counsel for the applicants, therefore, upon making study, submits that he would like to withdraw and substitute this application by filing another under Section 482 of Criminal Procedure Code or under Article 227 of the Constitution.

Upon careful examination, it is seen that the criminal complaint pertains to year 1998 in which an interlocutory order was passed before six years. That order came to be challenged in revision before the Sessions Court after six years, seeking condonation of delay, which application

was rejected. Considering the fact that criminal complaint case of the year 1998 has still not progressed, I think the applicants should not be allowed to challenge the order by filing an application under Section 482 of Criminal Procedure Code or by way of criminal writ petition. Hence, the request for liberty to apply under Section 482 of Cr. P.C. or under Article 227 of the Constitution is rejected. Trial is expedited.

The application is accordingly dismissed.

JUDGE