

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
Criminal Application [APL] No. 625 of 2014
[Gendu Mukundaji Gawande Vs. State of Mah. & another]

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

Court's or Judge's orders

Mr. A.S. Kilor, Adv., for the Applicant.
Mr. Uke, APP for respondent No.1.
Mr. G.G. Bade, Adv., for respondent no.2.

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

DATE : 25th February, 2015.

Learned APP makes a statement that the investigation has been stayed by this Court and, therefore, it could not progress. We find no justification in prohibiting the investigating agency from conducting the investigation.

Looking to the allegations made in the FIR, we, however, find that it is not possible for us to decipher the truth and whether the Applicant is right or not, is a matter to be decided on evidence. We cannot come to any positive conclusion in the present jurisdiction under Section 482 of the Code. In that view of the matter, we make the following order:-

ORDER

- [a]** Criminal Application No. 625 of 2014 is disposed of.
- [b]** The investigation shall be completed within a period of three months from today.
- [c]** The Applicant is granted liberty to apply for discharge or take such other steps as are available in law.
- [d]** The Applicant shall be released on bail upon furnishing a Personal Bond in a sum of Rs.10,000-00 [rupees ten thousand only] with one surety in the like amount, before Trial Court.

Judge

Judge

|hedau|