

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

Criminal Writ Petition No.1072 of 2014

(Omprakash Ramratan Shirpuriya and another

vs.

The State of Maharashtra, through P.S.O. Armori, Gadchiroli)

=====

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

=====

Court's or Judge's Orders

Mr. S.G. Malode, Advocate for the Petitioners.
Mr. A.D. Sonak, A.P.P. for the Respondent sole.

CORAM : V.M. DESHPANDE, J.

DATE : AUGUST 21, 2015.

By the present writ petition, the petitioners are challenging the order passed by the learned Sessions Judge, Gadchiroli in Criminal Revision Application No.35/2014 dated 26/11/2014.

The present petitioners are the accused in R.C.C. No.16/2002. They moved an application for discharge. The said application is at Exh.140 on the record of the Chief Judicial Magistrate. The learned Chief Judicial Magistrate vide order dated 17/07/2014 dismissed the said application for discharge. A revision was carried before the learned Revisional Court. The learned Revisional Court vide order dated 26/11/2014 confirmed the order of dismissal of the application for discharge filed by the petitioners.

At the time of hearing, when this writ petition was taken up for admission today, the learned Additional Public Prosecutor submitted that the trial has already commenced in R.C.C. No.16/2002 pending on the file of the Chief Judicial Magistrate, Gadchiroli. He also pointed out that the evidence of four witnesses is already completed.

In that view of the matter, this Court refraining itself from exercising extra ordinary writ jurisdiction in favour of the petitioners and dismisses the petition. No costs.

JUDGE

**sdw*