

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

CRIMINAL APPLICATION NO. 56 OF 2016

Pournima Vijay Desai

.. APPLICANT

VERSUS

The State of Maharashtra
& others

.. RESPONDENTS

Mr. N.B. Suryawanshi, advocate for applicant.
Mr. S.P. Deshmukh, APP for the State.

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**CORAM : R.M. BORDE &
P. R. BORA, JJ.**

DATE : 28th APRIL, 2016.

PER COURT :

1. Applicant is praying for issuance of directions for further investigation under section 173(8) of the Code of Criminal Procedure through local crime branch or Special Women Wing into the complaint lodged by her with the Judicial Magistrate First Class, Shindkheda.

2. It transpires that in pursuance to the order passed by the trial Court directing investigation into the matter under section 156(3) of the Code of Criminal Procedure, police have conducted investigation and also presented charge sheet against accused. The error in the charge sheet that has been pointed out by applicant relates to release of accused on bail although, according to applicant, on the date of presentation of charge-sheet, accused were not released on bail.

3. Prima facie, we are of the opinion that no prejudice is caused to the

applicant and, if at all she is of the opinion that the Court has been misled because of such endorsement, applicant may avail of remedies available in law. Since charge-sheet has already been presented and no ground is made out, there is no question of issuance of any direction for investigating into the complaint again. There is no need of issuing direction since no material is placed on record warranting issuance of such direction. Criminal application is devoid of substance hence stands rejected.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

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