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

CRIMINAL APPLICATION NO. 1230 OF 2016

Rajesh s/o Ramesh Kalantri

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr V. B. Garud, Advocate for applicant;
Ms R. P. Gaur, Addl. Public Prosecutor for respondent

WITH

CRIMINAL APPLICATION NO. 3276 OF 2016

Shri Anil s/o Ghanshyam Darda & ors.

..APPLICANTS

VERSUS

Rajesh Ramesh Kalantri & anr.

..RESPONDENTS

Mr N. B. Patekar, Advocate holding for Mr P. R. Katneshwarkar, Advocate
for applicants;
Mr V. B. Patil, Advocate for respondent No. 1;
Ms R. P. Gaur, Addl. Public Prosecutor for respondent No. 2

CORAM : N.W. SAMBRE, J.

DATE : 23rd June, 2016

ORAL ORDER :

After having heard learned Counsel for sometime, it is brought to my notice that Crime No. 116 of 2016, registered with Bhusawal Bazar Peth Police Station for offences, punishable under Sections 420, 460, 165, 466,

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467, 120(B), 119 read with Section 34 of the Indian Penal Code is investigated into by Mr Chandrakant Sarode, Investigating Officer, who is personally present in the Court.

2. In view of above, in my opinion, nothing remains to be considered in the present case. As such, learned Counsel appearing on behalf of applicants, upon instructions, make a motion for withdrawal of the present applications. Criminal Applications stand dismissed as withdrawn.

3. It is made clear that the Investigating Officer Mr Chandrakant Sarode will be at liberty to investigate the matter in accordance with the provisions of Code of Criminal Procedure and if he is of the opinion that there exists sufficient material to prosecute the accused, he may file charge-sheet, or may file 'B' summery, as he deems fit, without being influenced by proceedings before this Court.

4. In view of above, Criminal Misc. Application No. 596 of 2015, pending on the file of learned Judicial Magistrate First Class, (3rd Court), Bhusawal, stands withdrawn.

5. Pursuant to the earlier order passed by this Court, the Investigating Officer Mr Kisanrao Nazar Patil, Police Inspector is personally present before this Court and expressed his regret for inaction in the present matter. He assured this Court that the similar conduct will not be repeated by him. He also assured this Court that he shall be more diligent in future.

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His statement is accepted, and is discharged.

(N.W. SAMBRE, J.)

sjk