

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

CRIMINAL APPLICATION NO. 1336 OF 2016

ABDUL WAHAB S/O ABDUL RAHID MANIYAR AND OTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHER

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Advocate for Petitioners/Applicants : Shri Syed G R.
APP for Respondent 1/ State : Shri N.T.Bhagat.

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**CORAM: RAVINDRA V. GHUGE, J.
DATE :- 27th June, 2016**

Per Court:

1 The Petitioners have filed this application invoking the provisions of Section 482 of the Code of Criminal Procedure praying for quashing of the proceedings in Criminal Miscellaneous Application No.80/2016 as against the Petitioners.

2 Shri Syed, learned Advocate for the Petitioners, submits that this application has been filed by the Petitioners after receiving notices from the learned Magistrate in the said proceedings. He has strenuously tried to make out a case that the Petitioners are not concerned with the allegations or purported offence committed and the Respondent/ original Complainant has merely arrayed all the Petitioners who are family members so as to mount pressure on them and seek undue advantage by arraying them.

3 I have considered the submissions of the learned Advocate. I have gone through the petition paper book and the complaint filed by the original Complainant dated 09.02.2016.

4 In my view, the Petitioners may file an application before the learned Magistrate, if permissible in law, for seeking deletion from the said proceedings. Such application would be considered after hearing all the sides. I am not inclined to cause an interference at this stage considering the fact that barring one Petitioner, all other accused live together as a joint family.

5 In the light of the above, this Criminal Application is disposed of.

6 In the event, if law provides for filing of an application for deletion or any other similar application, the Petitioners may resort to the said available remedy and the learned Court shall consider such application on its own merits. It is clarified that the disposal of this Criminal Application does not mean that this Court has considered the merits of the case.