

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

CRIMINAL WRIT PETITION NO. 930 OF 2015

PRADEEP S/O SAHEBRAO BHALERAU AND ORS
VERSUS
PRIYANKA DILIP KAMBLE AND ANOTHER

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Advocate for Petitioners : Shri Murkute J.M.
APP for Respondent 2 /State : Shri N.T.Bhagat.
Advocate for Respondent 1 : Ms.Dube Anjali (Bajpai)

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 17th June, 2016

Per Court:

1 The Petitioners have assailed the impugned order dated 03.07.2015 passed by the learned Judicial Magistrate First Class, Shirur (Kasar) in RCC No.114/2015 by which the process has been issued against the Petitioners under Sections 366, 109 and 506 r/w 34 of the Indian Penal Code.

2 The Petitioners could have approached the learned Sessions Judge by exhausting the remedy available under Section 397 of the Code of Criminal Procedure by filing a criminal revision petition.

3 As such, I am not inclined to entertain this petition.

Considering the fact that this Court by its order dated 22.07.2015 had stayed the proceedings before the learned Magistrate, the said protection could be continued for a period of four weeks so as to enable the Petitioners to prefer a criminal revision application.

4 In the light of the above, this Criminal Writ Petition is disposed of. The order dated 22.07.2015 granting protection to the Petitioners shall continue for a period of four weeks from today and no application for extension of time shall be entertained by this Court. This ad-interim protection shall cease to continue after four weeks from today, notwithstanding whether, the Petitioners file the criminal revision application or not.

5 In the event, such revision is filed along with the application for stay, the concerned Court shall consider the said application on its own merits without being influenced by the ad-interim protection granted by this Court.