

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office		
Memoranda of Coram,		Court's or Judge's orders
appearances, Court's		
orders or directions		
and Registrar's orders		

CRIMINAL APPLICATION NO. 3860 OF 2016

SHRI MANOJ SHANKAR BAVANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for applicants: Mr.Nitin N. Jagadale
holding for Mr. V.D. Salunke
APP for Respondent/State :Mr.S.Y. Mahajan
Advocate for respondent no.2:Mr.B.S. Shinde
holding for Mr. V.P. Latange

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CORAM: S.S.SHINDE & K.K.SONAWANE, JJ.
Dated: December 08, 2016

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Heard the learned counsel appearing for the applicants. He submits that the applicants may be allowed to file the fresh application, so as to take exception to the charge-sheet.

2. The learned A.P.P. informs this Court that the charge-sheet came to be filed on 24th August, 2016. This Court on 30th August, 2016 due to unaware of filing of the charge-sheet passed the order and ordered that not to file the charge-

sheet. Therefore, the prayer of the learned counsel appearing for the applicants to allow the applicants to file fresh application would again consume time and the Trial Court would not be in a position to proceed further for hearing on the basis of the charge-sheet filed by the Investigating Officer.

3. In that view of the matter, we are not inclined to entertain the prayer to allow the applicants to file fresh application challenging the charge-sheet. However, in case, the applicants are advised and the charge is not yet framed by the concerned Court, the applicants are at liberty to take out the appropriate application for discharge within four weeks from today. In case, such application is filed within stipulated period, the concerned Court shall decide the said application in accordance with law within 8 weeks from filing such application.

4. With the above observations, the present application stands rejected.

(K.K.SONAWANE, J)

(S.S. SHINDE, J)