

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.343 OF 2016

Sayed Sajid Ali s/o Sayed Zafar Ali and ors.

-vs-

The State of Maharashtra, Thr. PSO, PS Patur, Dist. Akola. and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Dr A. H. Jamal, Advocate for applicant.
Shri J. R. Ghurde, APP for respondent No.1/State.

**CORAM : B.P.DHARMADHIKARI &
A.S.CHANDURKAR, JJ.**

DATE : AUGUST 18, 2016

Heard Dr J. H. Jamal, learned counsel for applicants,
learned APP for respondent No.1 and Shri Abdul Subhan,
learned counsel for respondent No.2.

We do not wish to go into merits of controversy.
Respondent No.2-complainant is resident of Patur and she
has filed complaint under Section 498-A read with Section 34
of the Indian Penal Code at Patur Police Station. Consequent
to the First Information Report, Learned APP informs that
charge-sheet is also presented in the Court at Patur. Shri A.
Subhan, the learned counsel submits that there is alternate
and more effective remedy available to the applications. Dr
A. Jamal, the learned counsel disputes this.

We find that applicant No.2 aged about 65 years is
mother in law who resides at Nagpur. Applicant No.6 aged
about 70 years is her sister. This sister resides at Akola.
Applicant Nos.3, 5 and 7 are sisters of husband who reside
either at Nagpur or Akola or Mumbai. Applicant No.4

brother of application No.1 reside at Nagpur.

In this situation as this Court has already ordered no coercive steps on 06/05/2016, we find that interest of justice can be met with by granting exemption from personal appearance to applicant Nos.2 to 7 until the Court at Patur passes the order expressly requiring their presence. Applicant No.1 and Advocate of all the applicants can appear before the Court at Patur and move appropriate application seeking exemption or such other relief as the applicants may deem fit and proper. If such application is moved within period of four weeks from today, Court at Patur shall attempt to decide it as per law within next four months.

With these directions and keeping all rival contentions open, we dispose of the application.

JUDGE

JUDGE

-: C E R T I F I C A T E :-

“ I certify that this Judgment/order uploaded is a true and correct copy of the original signed Judgment/order.”

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Asmita A. Bhandakkar
Personal Assistant

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20/08/2016