

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

CRIMINAL APPLICATION (APL) NO.467 OF 2016

Ashish Vishwanath Mohod and ors

..vs..

State of Maharashtra, through Police Station Office, Gadge Nagar, Taluka and District
Amravati anr

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

Court's or Judge's Order

Shri P.S. Gawai, Counsel for the Applicants.
Shri P.R. Agrawal, Counsel for Non-applicant No.2.
Mrs. M.H. Deshmukh, Addl.P.P. for Non-applicant No.1/State.

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

DATED : SEPTEMBER 28, 2016.

Heard.

Short submission of learned counsel Shri P.S. Gawai for the applicants is, without giving any specific incidence or instance, the FIR came to be filed and cause has been also stated to have accrued at various places. He contends that no cognizance of such FIR can be taken.

Learned Additional Public Prosecutor Mrs. M.H. Deshmukh for non-applicant No.1/State as also learned counsel Shri P.R. Agrawal for non-applicant No.2 oppose the contention. They submit that on the basis of FIR, appropriate investigation has been conducted. Learned Additional Public Prosecutor Mrs.

M.H. Deshmukh states that the charge-sheet is also ready for filing.

On 12.7.2016 while issuing notice in the matter, this Court has directed that no coercive steps be taken against the applicant. As investigation is already over, it is apparent that there is no question of any coercive steps now.

We gather that the charge-sheet is to be presented to the competent Court at Amravati.

In this situation, we grant applicant No.1 leave to appear before that Court along with counsel on behalf of the applicants and file appropriate application seeking discharge. If such application is filed within three weeks after service of charge-sheet upon the applicants, the Trial Court shall attempt to decide it within next three months.

The charge-sheet shall be presented by non-applicant No.1 with previous intimation of date to applicant No.1.

With these directions and keeping all rival contentions open, we dispose of the criminal application. No costs.

JUDGE

JUDGE

!! BRW !!

.....3/-

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

**Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)**

Uploaded on :- 29/09/2016

...../-