

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

CRIMINAL APPLICATION (APL) NO. 733 OF 2015.

(WASUDEO BAPUJI BHANDARKAR..VS..THE STATE OF MAH. THR. PSO SADAR & ANR.)

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

Court's or Judge's orders

Shri S.A.Chaudhari, Advocate for Applicant.
Shri S.S.Doifode, A.P.P. for Respondent No. 1.

CORAM : B.P.DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : DECEMBER 15, 2016.

Effort of the learned counsel for the applicant/
employee is to urge that as in the departmental enquiry there
is exoneration after recording of the evidence, criminal trial
cannot be proceeded with.

Advocate Shri Chaudhari is seeking time to place
on record complete copy of the enquiry report to show that
entire material to be looked into in criminal trial is in fact
appreciated by the Enquiry Officer.

The learned APP submits that a converse
argument could have been looked into but mere exoneration
in departmental enquiry does not operate as bar for criminal
trial.

We keep the contentions of the applicant open.
The correctness thereof can be looked into when witnesses
are examined before the trial Court.

Hence, without observing anything in that respect, with liberty to the applicant to raise all the contentions at an appropriate stage, we dispose of the application.

JUDGE

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