

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

CRIMINAL APPLICATION (APL) NO.777 OF 2015

Sayyed Iqbal S/o Sayyad Sayeed Kadri and ors

..vs..

State of Maharashtra, thr PSO Pusad, Taluka Pusad, District Yavatmal and anr

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

Court's or Judge's Order

Shri A.B. Mirza, counsel for the applicants.

Shri F.T. Mirza, counsel for NA No.2.

Shri J.Y. Ghurde, Addl.P.P. for NA No.1/State.

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.**

DATED : JANUARY 5, 2016.

Heard.

This Court on 30.10.2015 granted *ad-interim*
order and stayed filing of the charge-sheet.

Learned Additional Public Prosecutor for non-
applicant No.1/State Shri J.Y. Ghurde today makes a
statement that charge-sheet was already filed on
17.10.2015 itself. Learned counsel for the applicants Shri
A.B. Mirza is seeking time to verify this fact. In alternate
and without prejudice, he submits that as instances of
alleged harassment are all from Akola, investigation by
Police Station Pusad and filing of charge-sheet in the
Court of learned JMFC, Pusad is without jurisdiction.

After hearing respective learned counsel, we

.....2/-

find that father-in-law aged about 65 years, mother-in-law aged about 58 years, and brother-in-law on complaint are party applicants before this Court. The husband has not chosen to approach the Court.

The interest of justice can, therefore, be met with by permitting the applicants to raise all their objections before Pusa Court and for that purpose they can engage an Advocate. Till objections to jurisdiction raised by them are decided by Pusa Court, it will not be necessary for them to personally remain present in that Court. The matter can be prosecuted by husband i.e. son of applicant Nos.1 and 2 on behalf of all applicants as also their Advocate till then.

If any objection to jurisdiction is raised by the applicants within a period of four weeks from today, Pusa Court shall attempt to decide it in accordance with law within a period of next three months.

With these directions and observations, we dispose of the matter. No costs.

JUDGE

JUDGE

!! BRW !!

...../-