

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Revision No. 162 of 2014
[Omprakash Ramratan Shirpuria Vs. State of Mah.]

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

Court's or Judge's orders

Mr. Sudhir Malode, Adv., for the Applicant.
Mr. M.J. Khan, APP for respondent.

- - - -

CORAM : A.B. CHAUDHARI, J.

DATE : 03rd February, 2016

Heard learned counsel for the rival parties.

Learned counsel for the applicant states that the applicant is not in service. Charge framed against him under the Prevention of Corruption Act is the one for having disproportionate assets.

Mr. Khan, learned APP for the respondent seems to be right in saying that the application for discharge was filed after the charge was framed, which dis-entitles the applicant from claiming discharge.

Be that as it may, learned Adv. Mr. Malode submits that there is a grave mistake in the calculation

of disproportionate assets, which cannot be reconciled and, therefore, he further submits that there must be an explanation for such a contradiction. I do not agree. During trial and recording of evidence, one does not know what explanation can be tendered by the witness/witnesses. It is not possible, at this stage, to imagine what would happen and would not happen. In that view of the matter and particularly because the applicant is not in service, it would be in the interest of the applicant if the trial is completed on merits. Hence I make the following Order:-

ORDER

- [a] Criminal Revision No. 162 of 2014 is not entertained.
- [b] The applicant shall continue to face the trial.
- [c] The Trial Court shall expedite the trial, and complete the same within six months.

Judge