

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

CRIMINAL APPLICATION (APPP) NO. 206/2016
IN CRIMINAL WRIT PETITION No. 708 OF 2016.

Smt. Bharti Rampal Yadav

-VERSUS-

The State of Maharashtra .

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

Court's or Judge's Orders

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

DATE : DECEMBER 08, 2016.

Heard Shri R.P. Joshi, learned Counsel
for the petitioner and Shri M.J. Khan, learned
A.P.P. for respondent.

2. In view of disclosure in reply-affidavit
that action under Section 102 of Criminal
Procedure Code is already taken, learned counsel
for the petitioner is seeking leave to raise
additional grounds and necessary prayers.

3. Learned A.P.P. is objecting to grant of
amendment. He submits that basic petition itself

2

is erroneous, as remedy under Section 457 of Criminal Procedure Code has not been exhausted.

4. Shri Wakode, learned counsel appearing for the complainant, points out that he has filed an application for intervention, and it is still to be decided.

5. In this situation, without prejudice to the contentions of the parties, we grant leave to petitioner to amend the petition. Necessary amendment be carried out within a period of two weeks from today. Liberty to respondents to file reply within one week thereafter.

6. Criminal Application is disposed of accordingly.

7. List the Writ Petition for further consideration after Christmas Vacations.

JUDGE

JUDGE

Rgd.