

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1052 OF 2017

Sharad Shriram Kodgire

...APPLICANT

versus

The State of Maharashtra

...RESPONDENTS

.....
Mr. Sushant C. Yeramwar, Advocate for Applicants
Mr. S.Y. Mahajan, APP for Respondents No. 1 and 2
...

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 20th MARCH, 2017.

Order :-

1. Heard.
2. At the outset, learned APP for the State, on instructions, informs this court that the concerned Investigating Officer has filed charge-sheet in present crime on 02-03-2014 before the concerned Court.
3. The learned counsel appearing for the applicant makes a oral prayer so as to grant him liberty to amend the present application in view of the fact that charge-sheet is filed on 02-03-2017. We are not inclined to entertain oral prayer of the counsel appearing for the applicant. In that view of the matter

and the fact that charge-sheet is filed on 02-03-2017, if the applicant is advised, he may avail of appropriate remedy as may be permissible in law before the concerned court by filing application praying for discharge, within a period of three weeks from today. In case, applicant files such application within a period of three weeks from today, the concerned court shall decide the same on its own merits and in accordance with provisions of law, however, within a period of six weeks from the date of filing of such application. We make it clear that liberty granted today will be available to the applicant only for three weeks from today. We further clarify that we have not expressed any opinion on merits of the contentions raised in this petition. The applicant shall agitate the said contentions before the concerned Court.

3. With above observations, application stands disposed of.

Sd/-
[**K. K. SONAWANE, J.**]

Sd/-
[**S.S. SHINDE, J.**]

MTK