

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

**CRIMINAL APPLICATION NO.2146 OF 2017  
IN  
CRIMINAL APPLICATION NO.1408 OF 2017**

- 1) Pratap s/o Sopan Shivsharan,
- 2) Sunanda w/o Sopan Shivsharan,
- 3) Sopan s/o Sukhdeo Shivsharan,
- 4) Pradeep s/o Sopan Shivsharan,
- 5) Chetna w/o Balasaheb Gaikwad

**...APPLICANTS**

**VERSUS**

- 1) The State of Maharashtra,
- 2) Shailaja w/o Pratap Shivsharan

**...RESPONDENTS**

...

Mr.Satyajeet S. Dixit Advocate for Applicants.  
Mr.M.M. Nerlikar, A.P.P. for Respondent No.1.  
Mrs. Ranjana D. Reddy Advocate for Respondent  
No.2.

...

**CORAM: S.S. SHINDE AND  
A.M. DHAVALA, JJ.**

**DATE : 21ST SEPTEMBER, 2017**

**ORDER :**

1. Heard learned counsel appearing for the Applicants, learned APP appearing for the State and learned counsel appearing for Respondent No.2.

2. The prayer made by the Applicants seeking leave to amend the Application is vehemently opposed by learned counsel appearing for Respondent No.2, on the ground that before this Court passed the ad-interim order, the charge-sheet was already filed.

3. In our opinion, Criminal Application No.1408 of 2017 taking exception to the First Information Report bearing Crime No.I-26 of 2017 registered on 31<sup>st</sup> January, 2017 with Sangamner City Police Station, Tq-Sangamner, Dist-Ahmednagar, was pending before this Court and during pendency of the said Application, charge-sheet has been filed. In that view of the matter, in the interest of justice, we are inclined to

allow this Application for seeking amendment to challenge the charge-sheet.

4. Learned counsel appearing for the Applicants tendered across the Bar a purshis seeking leave to amend the date. The prayer seeking leave to amend the date is allowed.

5. Accordingly Criminal Application No.2146 of 2017 is allowed and the same stands disposed of. Necessary amendment be carried out on or before 27<sup>th</sup> September, 2017. Amended copy of the Application be placed on record after serving the copy of the amended Application on the Respondents.

6. List Criminal Application No.1408 of 2017 on 28<sup>th</sup> September, 2017.

**[A.M. DHAVAL, J.]**

asb/SEP17

**[S.S. SHINDE, J.]**