

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 978 OF 2016

Manish Mohan Oza

... Applicant

Vs.

The State of Maharashtra

... Respondent

None for Applicant

Ms. Anamika Malhotra APP for the State.

CORAM: SMT.SADHANA S.JADHAV, J.

DATED : 18th APRIL, 2017.

P.C.

1) None for the applicant. The learned APP waives service for respondent no. 1.

2) This is an application challenging framing of the charge. It appears that charge-sheet is filed on 22/11/2013. Grievous appears to be that charge was framed against the accused on 13/11/2014 in the absence of the Advocates for the accused. According to the applicant, provisions under section 226 and 227 of Code of Criminal Procedure, 1973 were not complied. It appears from the

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records that on 28/07/2014 accused nos. 2 to 7 were absent when called. Hence, non-bailable warrants were issued against them. It is in these circumstances that it cannot be said that there is any illegality in framing of the charge. In any case, trial was not stayed. Notings on record would further show that application is filed in the year 2016 and it was not circulated. On 28/02/2017, none appeared for the applicant.

3) It is in these circumstances that application stands dismissed for want of prosecution.

4) Office to communicate this order to the Sessions Court, Pune.

(SMT. SADHANA S. JADHAV, J.)