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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 474 OF 2017  
IN  
WRIT PETITION NO.4065 OF 2017.**

Hemant Ashar ... Applicant.

V/s.

The State of Maharashtra  
and anr, ... Respondents

Mr. G. S. Godbole, for the Applicant.  
Ms. S. D. Shinde, APP for the Respondent  
State.  
Mr. A. H. Ponda, for intervener -accused.

**CORAM : RANJIT MORE &  
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

**DATE : 27<sup>th</sup> NOVEMBER, 2017.**

**P.C. :**

1] Application is taken out for amendment to writ petition in terms of schedule annexed as Exhibit "A", to this application.

2] We have heard learned counsel for the applicant, learned APP and learned counsel for the intervener.

3] Mr. Godbole at this stage submits that the applicant wants to place on record R.T.I. reply with the copy of charge-sheet dated

31.07.2017, since reply was received during the pendency of the petition,

4] Mr. Ponda, learned counsel, at this stage submits that he is appearing for the accused persons and cognizance in the said complaint has been taken. Charge sheet is filed against his clients and the process is also issued. He, therefore, submits that the applicant may be directed to implead his client as party respondent.

5] Request is opposed by Mr. Godbole, learned counsel appearing for applicant.

6] Mr. Ponda, learned counsel for the intervener, is always at liberty to file application for intervention and the same can be decided after hearing both sides.

7] In our opinion, the amendment is necessitated in view of subsequent event and the petition is also pending at the stage of admission, we grant this application in terms of prayer clause (a) thereby permitting the applicant to amend the petition in term of schedule. Applicant is also permitted to annex RTI reply with the copy of charge-sheet dated 31.07.2017.

8] Necessary amendment shall be carried out within one week from today.

9] The Registry is directed to place the main petition on Admission board for admission on 07.12.2017.

10] Application is allowed in above said terms.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**

**[RANJIT MORE, J.]**