

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

CRIMINAL APPLICATION (APL) NO.707/2017

Ramesh s/o Babanrao Lakhe and anr

..vs..

State of Mah., thr. PSO Wardha City, District Wardha and anr

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

Court's or Judge's Order

Shri S.V. Sirpurkar, Counsel for the applicants.

Shri A.D. Sonak, Addl.P.P. for the State.

None appears for non-applicant No.2.

CORAM : V.M. DESHPANDE, J.

DATED : FEBRUARY 8, 2018.

1. Heard learned counsel Shri S.V. Sirpurkar for the applicants and learned Additional Public Prosecutor Shri A.D. Sonak for the State. None appears for non-applicant No.2.

2. By filing the present application, the applicants are challenging order dated 16.9.2017 below Exhibit 71 in Criminal Case No.1502/2010. After perusing the impugned order and after hearing learned counsel for the applicants, on earlier occasion for the very same prayer for which application Exhibit 66 was filed by the applicants and said application Exhibit 66 was already rejected by learned Chief Judicial Magistrate and cross-examination was deferred on 21.2.2017. After lapse of 6 months, again for the very same prayer Exhibit 71 is filed. Learned Chief Judicial Magistrate, in my view, has rightly rejected the application since earlier order was not challenged before any

superior Court by the applicants. Thus, it has attained finality. In my view, learned Magistrate has rightly observed that application Exhibit 71 is nothing but an attempt to prolong the Trial.

3. No case is made out. The criminal application is rejected.

JUDGE

!! BRW !!