

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [APL] No. 22 of 2019
[Dilip Kewalram Landekar & others Vs. State of Mah., Butibori PS,
Distt. Nagpur, and another]

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

Court's or Judge's orders

Mr. S. G. Karmarkar, Adv., for the applicants.
Mr. Ashirgade, APP for respondent o.1.

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CORAM : P. N. DESHMUKH AND
SMT. PUSHPA V. GANEDIWALA, JJ.

DATE : 07th August, 2019

None for respondent no.2, though served.

Learned APP, in pursuance of the earlier order dated 23rd July, 2019, submits that investigation is over and a charge-sheet is proposed to be filed against all the applicants. On that day, this Court having considered the gist of First Information Report though had observed that no ingredients of the offence alleged are found against the applicants, today, learned APP has produced case diary. On perusal thereof, prima facie, we find that during the course of investigation, evidence is collected against the applicants. However, without going into that aspect at this stage, the learned counsel for applicants

on instructions seeks leave to withdraw the application with liberty to take appropriate steps for filing a discharge application in the event of filing of a charge-sheet.

In view of leave sought as aforesaid, we recall the order dated 26th March, 2019 whereby respondent no.1 was directed not to file a charge-sheet without obtaining leave of the Court and grant leave as prayed for with liberty to take the appropriate steps by filing a discharge application.

Accordingly, application is disposed of as dismissed as it is withdrawn, with liberty as sought for filing of a necessary application. It is clarified that we have not observed anything on merits.

Judge

Judge

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