

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

CRIMINAL APPLICATION (APL) NO. 1235/2019

Amol S. Sav

..VS..

State of Maharashtra & anr.

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

Court's or Judge's orders

Shri V.R. Deshpande, Advocate for the applicant
Shri S.P. Deshpande, APP for the non-applicant/State

CORAM : Z.A.HAQ & M.G.GIRATKAR, JJ.

DATED : 26/11/2019

Heard.

This application under Section 482 of the Code of Criminal Procedure is filed by the accused praying that the first information report, charge-sheet filed against him and the prosecution pending before the Sessions Court for the offences punishable under Section 305 of the Indian Penal Code and Section 12 of the Protection of Children From Sexual Offences Act 2012, be quashed. The charges are framed against the applicant on 29/10/2018.

Though learned advocate for the applicant, relying on the judgment given in the case of *Satish Mehra vs. State (NCT of Delhi)* and another reported in **(2012) 13 SCC at page 614**, submitted that this Court can exercise jurisdiction under Section 482 of the Code of Criminal Procedure and can consider the prayers of the applicant / accused even after framing of charge, looking to the latches on the part of the applicant in approaching this Court, we are

not inclined to entertain this application under Section 482 of the Code of Criminal Procedure.

Hence, the criminal application is **dismissed**.

It is clarified that we have not delved into the merits of the matter and it would be open to the applicant to challenge the order dated 29/10/2018 passed by the learned Sessions Judge framing charge in appropriate proceedings, if so advised.

JUDGE

JUDGE

ANSARI