

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.202 OF 2018
IN
CRIMINAL WRIT PETITION NO.1405 OF 2015**

RAJENDRA KALICHARAN VERMA)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Rajendra Verma – Applicant appearing in person.

Mr.R.M.Pethe, APP for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 28th JANUARY 2020

P.C. :

1 Heard the applicant in person. He wants that the criminal Writ Petition bearing no.1405 of 2015 be restored to the file.

2 Perused the order dated 7th March 2018 (Coram : Nitin W. Sambre, J.). The said order is passed on merits of the matter. In paragraphs 4, 6 and 7 of the said order, following are the

observations of this court, while dismissing the said writ petition.

They read thus :

“4 I have gone through the record and also through the impugned orders and it has come to my notice that the Learned Trial Court has already framed the charge against the Applicant/Petitioner.”

“6 That being so, both the Courts below, in my view, are right in law in rejecting the applications for discharge as prayed by the Petitioner. Once the charge is framed, the prayer for discharge cannot be considered.”

“7 In that view of the matter, I do not see any reason to interfere with the impugned orders passed by the Trial Court as well as the Sessions Court. Hence, writ petition no.1405 of 2015 stands dismissed.”

3 As the writ petition is dismissed on merit after hearing the petitioner, it cannot be restored. The remedy is elsewhere. The application is, therefore, rejected.

(A. M. BADAR, J.)

Arti V.
Khatate

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by Arti V.
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