

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

50 CRIMINAL APPLICATION NO.77 OF 2020
WITH
CRIMINAL APPLICATION NO.3040 OF 2021
IN
CRIMINAL APPLICATION NO.77 OF 2020

ANIL S/O. GANJIDHAR PAWAR
VERSUS
KAVITA W/O. NILESH SHIRSATH AND ANR

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Advocate for Applicant : Party In Person
APP for Respondents: Mr. M M Nerlikar

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CORAM : V.K. JADHAV & SANDIPKUMAR C. MORE, JJ.
Dated: December 06, 2021

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PER COURT :-

1. In compliance with the order dated 22.11.2021 the trial court has submitted the status report. On perusal of the same, it appears that on 30.11.2021, the respondent/informant has appeared before the Court and assured the Court that she will depose before the Court on the next date. Accordingly, on 3.12.2021 prosecution has examined the informant namely Kavita as PW 1 at Exhibit 61. Examination-in-chief of the informant has been completed, however, cross

examination has been deferred till 7.12.2021 on the ground of absence of the accused before the Court.

2. Party-in-person/original accused submits that he has filed criminal application seeking quashing of the criminal proceedings by way of amendment in the main criminal application, however, said application is still pending.

3. Party-in-person/original accused has filed criminal application no.3040 of 2021 for carrying out the amendment in the application seeking quashing of the proceedings. There is an inordinate delay in filing such an application even though case was registered way back before the trial court in the year 2013 itself.

4. Further, as observed above, trial court has already proceeded with the trial and the prosecution has also examined respondent no.2/informant. In view of the same, once the trial court is seized with the matter, we are not inclined to consider this criminal application seeking quashing of the FIR and also criminal

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application seeking quashing of the proceedings by way of amendment in the main application. Both the criminal applications are accordingly disposed off.

(SANDIPKUMAR C. MORE, J.) (V.K. JADHAV, J.)

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