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

916 CRIMINAL APPLICATION NO.782 OF 2021

**DR. JAGDISH S/O SAMBHAJI PALVE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Mr N. B. Narwade, Advocate for applicant;
Mr S. D. Ghayal, A.P.P. for respondent No.1

**CORAM : RAVINDRA V. GHUGE
AND
B. U. DEBADWAR, JJ.**

DATE : 29th April, 2021

PER COURT:

1. We have heard the learned Advocate for the applicant. We have perused the first information report dated 01/02/2021. Date of the alleged offence is 30/01/2021 and the complaint was registered by the informant with the police station on 31/01/2021.

2. The applicant is attempting to make out a case that being a Lives Stock Development Officer with the Panchayat Samiti Pathardi, he can establish before the Investigating Officer that on the date and the time of the alleged offence, he was not at the spot and he was elsewhere performing his official duties.

3. We are of the view that the applicant should await the investigation and submission of the charge-sheet. In the event, the

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Investigating Officer is convinced beyond any doubt that the applicant was not at the site of the crime when it was committed, he may submit a report to that extent.

4. In view of the above, this application is disposed off with liberty to the applicant to avail of a remedy after the charge-sheet is filed.

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)

sjk