

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 CRIMINAL APPLICATION NO. 996 OF 2021
IN APPLN/3624/2019

SHRIKUMAR SURYAKANT INGALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

WITH
CRIMINAL APPLICATION NO. 995 OF 2021
IN APPLN/3271/2019

DEEPIKA HANMANT ZANJURNE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Kulkarni Ashutosh S.
APP for Respondent No.1-State : Mr. S. D. Ghayal

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CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.
DATED : 18th JUNE, 2021

PER COURT:-

1. Heard.
2. Learned counsel for the applicants in both the applications submits that during pendency of the main applications i.e. Criminal Application No. 3624 of 2019 and Criminal Application No. 3271 of 2019 filed for quashing of the FIR, the charge sheet came to be submitted before the court. Learned counsel submits that the applicants have therefore filed these applications for amendment in the main

applications to the extent of quashing of the charge sheet. Learned counsel submits that the proposed amendment as per para 3.2 of the applications is in connection with the investigation which is part of the charge sheet.

3. We have also heard learned APP for the State.

4. Learned counsel for respondent No. 2 submits that the applicants are having an alternate remedy of filing an application seeking discharge before the trial court.

5. However, in the event if the allegations made in the complaint, which subsequently resulted into filing of the charge sheet, are nothing but an attempt to abuse the process of the Court, the applicants are entitled for the relief of quashing of the charge sheet also.

6. In view of the above and for the reasons stated in the applications, the applications are allowed in terms of prayer clause "A" respectively.

7. The applications are accordingly disposed off.

(SHRIKANT D. KULKARNI, J.)

(V. K. JADHAV, J.)