

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

918 CRIMINAL APPLICATION NO.2571 OF 2019

SHARAD KASHINATH SARODE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr. Tandale Tushar M
APP for Respondents: Mr. G O Wattamwar
Advocate for Respondent 2 : Mr. Shirsat Suhas R.

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CORAM : V.K. JADHAV & SHRIKANT D. KULKARNI, JJ.

Dated: August 05, 2021

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PER COURT :-

1. We have heard the learned counsel for the applicants.

2. The learned counsel for the applicants, on instructions, seeks leave to withdraw this criminal application. Learned counsel, however, submits that, the medico-legal certificate of the informant indicates that he has only sustained simple injuries. Learned counsel submits that, in view of the same, charge under section 326 is not sustainable. The applicants are at liberty to file an appropriate application before the trial Court at the time of framing of the charge pointing out

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therein the medico-legal certificate of the informant and, it is for the trial court to pass appropriate orders in accordance with the law.

3. Leave granted.

4. Criminal application is dismissed as withdrawn.

(SHRIKANT D. KULKARNI, J.) (V.K. JADHAV, J.)

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