

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

33 CRIMINAL APPLICATION NO.2711 OF 2019

ASHOK S/O NANABHAU SATPUTE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA.

...

Advocate for Applicants : Mr Narayan B. Narwade  
APP for Respondent No.1 – State : Mr Rajendra V. Dasalkar  
Advocate for Respondent No. 2 : Mr Abhishek Kulkarni

**CORAM : V.K. JADHAV AND  
SHRIKANT D. KULKARNI, JJ.**

**DATE : 23<sup>rd</sup> AUGUST, 2021**

**PER COURT :**

1. We have heard the learned counsel for the applicants for some time.
2. The learned A.P.P. submits that so far as applicant Nos. 2 to 4 are concerned, they have allegedly instigated the other co-accused persons to extend the beating to injured Manoj by making a video call.
3. The learned counsel for respondent No. 2 submits that even C.D. of the said video call is also placed on record.
4. The learned A.P.P. on instructions from the Investigating Officer submits that the Investigating Officer has sent the video clip in pendrive to the laboratory for analysis and the said report is awaited.
5. The learned counsel for respondent No. 2 has also pointed out to us that the said video clip has also been sent to the various persons on

their respective WhatsApp account and accordingly, respondent No. 2 could get one of such video recording.

6. The learned counsel for the applicants thus on instructions seeks leave to withdraw this application with liberty to the applicants to file an application for discharge before the trial court after filing of the charge sheet.

7. Leave granted.

8. The criminal application is dismissed as withdrawn with liberty to the applicants to file an application for discharge before the trial court after filing of the charge sheet.

**[ SHRIKANT D. KULKARNI, J. ]**

**[ V.K. JADHAV, J. ]**

mta