

(1)

criwp1407.21

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CRIMINAL WRIT PETITION NO.1407 OF 2021

**SHRIPAD VINAYAK THOMBARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. Chandrakant V. Thombre, Advocate for the
petitioner

Mrs. R. P. Gaur, APP for the respondent/State

CORAM : N. R. BORKAR, J.

DATE : 04-12-2021

P. C.

. This petition takes an exception to the order dated 20-11-2021 passed by the Additional Sessions Judge, Kopergaon below Exh. 24 in Criminal Revision No. 19 of 2021.

2. The petitioner herein had filed an application under Section 156(3) of the Code of Criminal Procedure. The said application was allowed by order dated 09-10-2020. Pursuant to the said order the FIR came to be registered against the present respondent Nos. 2 to 4 for the offences punishable under Sections 420,406,467,468,471,472 & 120(B) of the IPC.

3. Against the order of allowing the application under Section 156(3) of Code of Criminal Procedure, the respondent Nos. 2 and 3 herein had filed revision petition. It appears that respondent Nos. 2 & 3 herein had also filed an application for anticipatory bail.

4. It appears that during the course of hearing of the criminal revision application the submission came to be made on behalf of the respondent Nos. 2 & 3 that the revision application and the anticipatory bail application be heard together. By the order impugned the learned Additional Sessions Judge thought it fit to hear both the matters together.

5. The learned counsel for the petitioner submits that on the day of passing of impugned order application for adjournment was moved. It is submitted that the learned Additional Sessions Judge thus ought not to have passed the order impugned. No prejudice is going to be caused to the petitioner even if the order impugned is allowed to stand. Considering this fact, I do not see any reason to

(3)

criwp1407.21

interfere with the order impugned in the writ jurisdiction. The petition is dismissed. All the contentions of the parties are kept open.

[N. R. BORKAR, J.]

VishalK/criwp1407.21