

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 523 OF 2018

Nanda Bhimrao Dawane & Ors.

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. Nikhilesh Pote i/b. Ms. Rupali Jamdade for Applicants.

Mr. Amil Solkar for Respondent No. 2.

Mrs. A S Pai, APP for State.

...

**CORAM : S. S. SHINDE &
MANISH PITALE, JJ.**

DATE : 1st MARCH, 2021.

P.C.:

1. This petition is filed with following substantive prayer:-

b. That this Hon'ble Court be pleased to quashed and set aside the FIR No. 22 o 2018 registered by Alibaug Police Station, Dist.: Raigad dated 12/02/2018 u/s. 495 A, 494 r/w 34 of IPC against the Applicants.

2. Learned counsel for Respondent No. 2 on instructions submits that the charge is framed before the concerned Court and applicants are not attending though they are summoned by the Trial court.

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3. Be that as it may, since the charge is framed and a considerable time has been lapsed after filing this petition, we are not inclined to accede

to the prayer of applicants to allow them to amend the application. If the applicants are so advised and in case charge is not framed, in that case the applicants may avail appropriate remedy as available in law for discharge of their names. We make it clear that, in case the charge is framed, the said remedy would not be available to the applicants.

4. With the above observations the application stands disposed of.

(MANISH PITALE, J.)

(S. S. SHINDE, J.)