

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APL) NO.294/2021

Ajay Ramchand Dhamecha Vs. State of Maharashtra and Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri R. D. Kalra, Advocate for Applicant.
Shri S. P. Deshpande, A.P.P. for Non-applicant Nos.1/State.

CORAM : Z. A. HAQ AND
AMIT B. BORKAR, JJ.

DATE : 18/02/2021.

1. Heard.
2. By this application under Section 482 of the Code of Criminal Procedure, the applicant/accused has prayed that the charge-sheet filed against him for the offences punishable under Sections 324, 324 of the Indian Penal Code and Sections 4, 6, 8 of the Protection of Children from Sexual Offences Act, 2012 be quashed.
3. The applicant himself has pointed out that he had filed an application under Section 227 of the Code of Criminal Procedure before the Trial Court praying that he be discharged, however, the same is dismissed by order dated 28.12.2020. For reasons not explained, there is no challenge to the order passed by the Sessions Judge dismissing the application filed by the applicant under Section 227 of the Code of Criminal Procedure.
4. In our view, after dismissal of the application filed by the applicant under Section 227 of the Code of

Criminal Procedure by the competent Court i.e. Sessions Court, it would not be possible for us to undertake the exercise of examining the legality of the charge-sheet filed against the applicant and the only option available to the applicant would be to challenge the order passed on the application filed by him under Section 227 of the Code of Criminal Procedure.

5. With liberty to the applicant to challenge the order passed by the Sessions Court on 28.12.2020, this Criminal Application is dismissed.

JUDGE

JUDGE