

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

CRIMINAL APPLICATION (APPP) NO. 2025/2021

IN

CRIMINAL APPLICATION (APL) NO. 996/2019

Prakash S/o. Narayan Singh Thakur Vs. The 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

Mr. C. R. Sharma, Advocate for Applicant.
Mr. T. A. Mirza, A.P.P. for Non-applicant/State.
Mr. Gopal Lahoti, Advocate for Non-applicant No.2.

CORAM : M. S. SONAK AND
PUSHPA V. GANEDIWALA, JJ.

DATE : 17/12/2021.

1. The learned counsel for the applicant submits that during the pendency of this application, charge-sheet has already been filed.
2. He therefore, seeks leave to amend the application to challenge the charge-sheet as well.
3. Mr. Gopal Lahoti, learned counsel for the non-applicant No.2 submits that the applicant can file a fresh application to challenge the charge-sheet and therefore, no leave to amend this application may be granted.
4. We have considered the objection.
5. According to us, if a fresh application is maintainable to file the charge-sheet as well as the First Information Report, which is already being challenged in this

application, there is no good reason not to grant leave to amend this application. Adoption of such a course will in fact prevent multiplicity.

6. Accordingly, leave is granted to amend this application.

7. The amendment to be carried out within one week from today. Copy of the same to be furnished to the learned counsel for the non-applicants.

8. If the non-applicants wish to file any reply to the amended application, they are at liberty to file the same within two weeks thereafter.

9. The application seeking leave to amend the original application is hereby disposed of.

(PUSHPA V. GANEDIWALA, J.)

(M. S. SONAK, J.)

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RANJANA MANOJ
MANDADE

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