

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

37 CRIMINAL APPLICATION NO.42 OF 2022

SHAKUNTALA W/O. DASHRATH MATRE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Raut Ashok D
Mr. MM Nerlikar, APP for Respondent-State.

CORAM : V.K.JADHAV AND
SANDIPKUMAR C.MORE,JJ.

DATE : 31st January, 2022.

PER COURT :-

1. We have heard learned Counsel for the applicants for some time. The learned Counsel has raised various points on merits; however, we are not inclined to entertain this application due to delay and laches.

2. In the instant case, Crime bearing CR No.87/2019 came to be registered with MIDC Waluj police station for the offences punishable under Sections 452, 323, 504, 506, 427 read with 34 of IPC, way back in the year 2019 and charge sheet also came to be filed in the year 2019 and presently RCC No. 1865/2019 is pending before the Chief Judicial Magistrate, Aurangabad. The applicants, however, are at liberty to file an application for discharge before the Trial Court if the charge is not framed. However, we are not inclined to entertain this application belatedly. The Criminal Application is hereby rejected.

(2)

3. At this stage, the learned Counsel for the applicants on instructions seeks leave to withdraw the application. Leave granted. The application is dismissed as withdrawn.

(SANDIPKUMAR C.MORE)
JUDGE

(V.K.JADHAV)
JUDGE

BDV