

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

CRIMINAL WRIT PETITION NO.252 OF 2021

Gopal Bhikchand Agrawal

..Petitioner

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.A.S.Bajaj, Advocate for petitioner
Mr.R.B.Bagul, APP for respondent no.1

**CORAM : R.G. AVACHAT, J.
DATE : FEBRUARY 17, 2022**

ORDER :-

Heard both sides.

2. The order impugned herein is dated 19.01.2021 passed by learned Addl. Sessions Judge, Dhule, in Criminal Revision Application No.72 of 2017. The operative part thereof reads thus:-

- “(i) Revision petition is partly allowed.
- (ii) The order of learned Magistrate directing registration of the offence and investigation U/s. 156(3) of Cr.P.C. to the extent of accused No.6 is quashed and set aside, and the order against remaining accused Nos.1 to 5 is confirmed.
- (iii) Inform the lower Court, accordingly.

3. It appears that said Revision Application was decided by learned Addl. Sessions Judge in absence of the applicants therein. The impugned order goes against the petitioner herein.

4. Learned counsel for the petitioner comes around to submit that once the Revision Application, being Cri. Revision Application No.72 of 2017, is restored on the file of the concerned Addl. Sessions Judge with a direction to decide the same on its own merit, the petitioner would work out the said matter within a time-frame.

5. It has also been brought to the notice of this Court that another Cri. Revision Application No.25 of 2017 filed by one of the co-accused is pending before some other Addl. Sessions Judge at the very place. The purpose would be served by directing both the Revision Applications to be heard together by one and the same Court.

6. In view of the above, the Writ Petition is allowed. The order impugned herein is hereby set aside. Learned Sessions Judge, Dhule, is requested to ensure that both the Revision Applications, i.e. Cri. Revision Application nos.72 of 2017 and 25 of 2017 are assigned to one of learned Addl. Sessions Judges, to decide them together within a time frame of six months from the receipt of a copy of this order.

[R.G. AVACHAT, J.]