

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

38 CRIMINAL APPLICATION NO.797 OF 2022

HEERALAL KANHAIYALAL VAISHNAV
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Vikas Rathi h/f Sk Ashraf Patel
APP for Respondents : Mr. R V Dasalkar

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

Dated: March 21, 2022

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PER COURT :-

1. By order dated 15.3.2022 we have already observed that criminal application suffers from delay and laches. The applicants are seeking quashing of the FIR bearing No.427 of 2016 registered with Shivaji Nagar Police Station, Dist. Latur and consequential filing of the charge-sheet no.20 of 2017 dated 9.3.2017 vide Special Case (MPID) no.2 of 2017. We have stated in our order that we are not inclined to entertain this criminal application filed after a gap of five years.

2. Though, the learned counsel for the applicants has tried to make the submissions on merits, however, we are not inclined to entertain this criminal application. The applicants are at liberty to file an application for discharge before the trial court, if the charge is not framed, and trial is not commenced. Criminal application is hereby dismissed.

(SANDIPKUMAR C. MORE, J.)

(V.K. JADHAV, J.)

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