

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

CRIMINAL APPLICATION NO.871 OF 2021

Sau. Sunanda Prakash Pitrubhakta ... **APPLICANT**

VERSUS

Shri Prashant Rajendra Agrawal & ors. ... **RESPONDENTS**

.....
Mr. Mukul S. Kulkarni, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for respondent No.4 - State
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CORAM : R. G. AVACHAT, J.

DATE : 6th APRIL, 2022.

PER COURT :

In view of Section 216(4) of the Code of Criminal Procedure, charge may be altered at any time by the Court concerned. A useful reference can be made in this behalf to a judgment in case of **State of Maharashtra Vs. Salman Salim Khan & anr. [(2004) 1 SCC 525]** In view of the same, the applicant may approach the trial Court first and urge for withdrawal of the charge for the offence punishable under Section 409 of the Indian Penal Code is concerned. The Judge concerned shall decide such application on its own merits. With this liberty, the criminal application stands disposed of.

**(R. G. AVACHAT)
JUDGE**

fmp/-