

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

CRIMINAL WRIT PETITION NO. 650 OF 2022

Sanjay Bhaskarrao Kale

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Ms. P.S. Talekar, Advocate h/f Talekar and Associates for petitioner
Mr. R.B. Bagul, A.P.P. for respondent - State

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CORAM : R.G. AVACHAT, J.

DATE : 05th MAY, 2022

PER COURT :

1. Heard.

2. The learned Judicial Magistrate First Class, Rahata on 19th May, 2022 has passed an order as to issuance of notice to the proposed accused in an application moved by the petitioner herein under Section 156(3) of the Code of Criminal Procedure. Such an order is unknown to the law.

3. In view of same, the said order is set aside. The learned Magistrate may decide the application on it's own merits on hearing the submission of learned counsel for the applicant therein. The learned Magistrate is expected to decide the said application within a period of two months. Criminal writ petition stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD