

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

27 CRIMINAL WRIT PETITION NO.846 OF 2021

**SWAPNIL SHIVAJIRAO NIKHADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Rahul B. Temak
APP for Respondent / State : Mrs. P.V. Diggikar
...

**CORAM : V. M. DESHPANDE AND
SANDIPKUMAR C. MORE, JJ.**

Dated: April 18, 2022
...

PER COURT :-

. This Writ Petition is disposed of with a liberty to the petitioner to file the appropriate application under Section 156 (3) of the Code of Criminal Procedure before the learned Judicial Magistrate.

2. With these observations, the Writ Petition is disposed of.

3. It is made clear that if the application is accompanied with the application for condonation of delay, it is expected from the learned Judicial Magistrate to consider it in accordance with law.

(SANDIPKUMAR C. MORE, J.)

(V.M. DESHPANDE, J.)

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