

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

CRIMINAL WRIT PETITION NO.1007 OF 2022

KAKASAHEB SUKHDEV TUPE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Mahesh B. Ubale
APP for Respondents: Mr. B.V. Virdhe

...
**CORAM : MANGESH S. PATIL AND
ABHAY S. WAGHWASE, JJ.**

DATE : 13.10.2022

PER COURT :

Heard.

2. The petitioner seems to have filed an application for cancellation of bail (Exhibit-29/D) and Application (Exhibit-34/D) under Section 173(8) of the Code of Criminal Procedure seeking further investigation.

3. We are not expressing anything on merits including maintainability of the applications and the right of the petitioner to move such applications for the specific reliefs being claimed. However, irrespective of the maintainability of the applications or the merit of the applications it is expected that the trial court decides these applications on their own merits expeditiously.

4. We, therefore, dispose of the writ petition by directing the concerned Magistrate to decide the Applications (Exhibit-29/D) and (Exhibit-34/D) as early as possible. All the issues including maintainability, jurisdiction, *locus standi* are kept open.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)