

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

40 CRIMINAL WRIT PETITION NO.1272 OF 2021

SATYANARAYAN SHIVDAYAL TOTLA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....
Advocate for Petitioner : Mr. B.A. Darak
APP for Respondent-State: Mr. M.M. Nerlikar
.....

**CORAM : V. K. JADHAV AND
SANDIPKUMAR. C. MORE, JJ.
DATED : 10th JANUARY, 2022**

PER COURT:-

1. Heard.
2. The petitioner claims to be the witness in respect of the property which is subject matter of R.C.C. No 652 of 2019 pending before the learned Magistrate, Jalna. By this petition, the petitioner is seeking permission to lead evidence independently as solitary witness in R.C.C. No. 652 of 2019 before the learned Magistrate, Jalna.
3. This is unusual prayer. However, if the petitioner found to be material witness well conversant with the facts of the subject matter of the case, the petitioner may approach the trial court by filing an application under Section 311 of Cr.P.C. and upon filing such application, it is for the trial court to consider the same on its own merits.
4. Writ petition is accordingly disposed of.

(SANDIPKUMAR. C. MORE, J.)

(V. K. JADHAV, J.)