

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 1037 OF 2021

Shivraj @ Nandu Siddharam
@ Sidram Yargale @ Yargile
And Others

...Applicants

Versus

The State of Maharashtra
And Others

...Respondents

WRIT PETITION NO. 6102 OF 2021

Prabhakar Narayan Vhotkar
And Others

...Petitioners

Versus

The State of Maharashtra
And Others

...Respondents

Mr.Priyal Sarda – Advocate for Applicants.
Ms.S.D.Shinde – APP for Respondent No.1 – State.
Mr.Pankaj Thakur h/f Mr.Mohammed Mulla for Respondent No.2.

**CORAM : SUNIL B. SHUKRE &
S. M. MODAK, JJ.**

DATED : 27TH JUNE 2023

P. C. :

1. Heard learned Advocate Shri.Priyal Sarda for the Applicants.
2. Read the common order dated 9th March, 2022 passed in Criminal Application 1037 of 2021 and Writ Petition No. 6102 of 2021. By the said order, two FIRs bearing C.R. No. 174 of 2021 and C.R. No. 175 of 2021 registered with Valsang Police Station, District :

Satish Sangar

Solapur were quashed. The present Applicants are the Accused in C.R. No. 175 of 2021. The relevant direction is direction No.6(b). All Sections are also mentioned except Section 323 of IPC.

3. In view of this lacuna, the learned Magistrate is not acting upon the relevant order. So, let following modification be done :-

- (i) In direction No.6(b) in addition to earlier Sections, offence under Section 323 of IPC be added.

[S. M. MODAK, J.]

[SUNIL B. SHUKRE, J.]