

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

**INTERIM APPLICATION NO. 288 OF 2022
IN
CRIMINAL APPLICATION NO. 588 OF 2021**

Mr.Amit alias Rinku s/o. Govindprasad Agrawal ...Applicant

vs.

The State of Maharashtra

...Respondent

Mr.Shyam Dewani with Chirag Chanani i/b. Dewani Associates for
Applicant.

Ms.Sangeeta D. Shinde, APP for State.

**CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.**

DATED : 2 FEBRUARY 2022

P.C. :

. Heard Mr.Dewani, learned Counsel appearing for the
Applicant.

2. Mr.Dewani submitted that though initially while filing the
application, the principal prayer made in the application was for
quashment of the FIR, subsequently, the Applicant thought it fit to amend
the application on the backdrop of the fact that the chargesheet is already
filed in the matter and accordingly, filed an interim application for
amendment to the application by substituting the original prayer.

3. Perused the application, i.e. Interim Application No.288 of
2022. As it is admitted position that the chargesheet is filed in the matter
and the Applicant had raised substantial ground in the application, the

proposed amendment would not change the tenor of the application. Accordingly, the interim application is allowed in terms of prayer clause (a). The Applicant is permitted to amend the application within one week.

4. On carrying out the amendment, issue notice to the Respondent. Learned APP waives notice for the sole Respondent and pray for some time to take instructions so as to submit report and the reply to the Applicant. Two weeks time is granted to the learned APP.

5. Post the application for further consideration after three weeks. Needless to state that the amended copy of the application be supplied to the learned APP.

6. S.O. to 22 February 2022.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)