

framing charge and has also filed an application before the trial Court seeking his discharge from the said case.

4. Learned Counsel for the applicant does not dispute filing of the discharge application before the trial Court.

5. A perusal of para 24 prayer clause 'b' of the aforesaid application reveals that the applicant is not only seeking quashing and setting aside of the order framing charge dated 25th August 2021 but also seeking discharge in criminal proceedings bearing R.C.C. No. 65 of 2021 which is pending before the learned Chief Judicial Magistrate, Raigad – Alibag,

6. Since the applicant has already filed a discharge application before the trial Court and the same is pending, it would be appropriate that the applicant pursue the said application seeking his discharge from the said case.

7. Application is accordingly disposed of with liberty to pursue the discharge application before the trial Court, which is pending before it.
8. It is made clear, that this application has not been heard on merits and as such all contentions of the applicant are kept open.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.