

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (APL) NO. 847 OF 2021**

Harish S/o. Morumal Budhlani

vs.

State of Maharashtra and another

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr. S. S. Dewani, Advocate for applicant.  
Mr. I. J. Damle, APP for respondent No.1 State.  
Mr. A. O. Shriwas, Advocate for respondent No.2.

**CORAM : MANISH PITALE AND  
G.A.SANAP JJ.**

**DATE : 05/08/2022**

**CRIMINAL APPLICATION (APPP) NO. 1236 OF 2022**

By this application, the applicant is seeking amendment to bring on record charge-sheet and also to pray for quashing of the charge-sheet. Although the application is opposed on behalf of respondent No.2 on the ground that the charge-sheet was filed in August, 2021. It is also submitted that the applicant can file an application for discharge in the light of the fact that charge-sheet is filed.

2. The learned counsel appearing for the applicant relied upon the judgment of Hon'ble

Supreme Court in the case of *Anand Kumar Mohatta vs. State (Govt. of NCT of Delhi) Department of Home* reported in *AIR 2019 SC 210*, to contend that even if remedy of filing application for discharge may be available to the applicants, there is no bar on this Court exercising jurisdiction under Section 482 of the Code of Criminal Procedure to consider quashing of the FIR as well as the charge-sheet. We are convinced that the application for amendment can be granted.

3. Accordingly, the application is allowed. Amendment to be carried out within **one week** from today.

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List this application for further consideration after **two weeks**.

**JUDGE**

**JUDGE**