

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (APL) No.1587 of 2022

Manish S/o Sureshrao Mulankar and another

Versus

State of Maharashtra and another

Office Notes, Memoranda of Coram,
 appearances, Court's orders or directions Court's or Judge's orders
 and Registrar's order

Shri V.D. Shende, Advocate for Applicants.

Shri S.S. Doifode, Additional Public Prosecutor for
 Non-Applicant No.1.

CORAM : SUNIL B. SHUKRE & M.W. CHANDWANI, JJ.

DATE : 5th DECEMBER, 2022

1. Heard the learned counsel for the applicants, and the learned Additional Public Prosecutor for the non-applicant No.1.
2. It is an admitted fact that the discharge application filed by the applicants has been rejected. It is also an admitted fact that the applicants have not availed of alternate remedy in the nature of filing of a criminal revision application challenging the order of rejection of the discharge application filed by the applicants. In such a case, this application filed under Section 482 of the Code of Criminal Procedure would not be maintainable. No reason whatsoever has been put forth by the applicants to convince this Court that in spite of availability of alternate remedy, this Court can interfere in the matter by invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure.
3. The criminal application stands rejected as not maintainable.
4. Liberty is granted to the applicants to file a criminal revision application to challenge the order rejecting the discharge application of the applicants, keeping all questions open.