

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.141 OF 2022

1. Nikhilkumar Nana Indave
(*withdrawn*)
2. Alkabai Nana Indave
(*withdrawn*)
3. Mayur Nana Indave
(*withdrawn*)
4. Ashwini @ Trushagni Pankaj Patol,
5. Pankaj Damu Patol,
6. Pandit Daga Indave,
7. Sushila Pandit Indave,
8. Rahul Pandit Indave,
9. Punam Rahul Indave,
10. Ramesh Subhash Birare @ Birhade,
11. Dagubai Ramesh Birare @ Birhade,
12. Gangaram Sadhu Bacchav,
13. Mangalbai @ Ratnaprabha Gangaram Bacchav ..Applicants

Vs.

The State of Maharashtra and anr. ..Respondent

Mr.A.S.Sawant, Advocate for applicants
Mr.M.M.Nerlikar, APP for respondent no.1
Mr.Ruchir Wani, Advocate for respondent no.2

CORAM : R.G.AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATE : SEPTEMBER 14, 2023

ORDER :-

The application of applicant nos.1 to 3 has already been
withdrawn vide order dated 25.02.2022.

2. Heard. Perused the FIR and related papers.

3. The crime has been registered against not less than thirteen accused persons. Applicant nos.4 to 13 are somewhat distant relations of the informant. Close reading of the police papers indicates that no specific overt act of direct illtreatment or abetment has been attributed to them. As such, it is a case of general, vague and omnibus allegations. In the circumstances, directing these applicants to stand trial would be an abuse of process of the Court. We are, therefore, inclined to allow the application to the extent of these applicants, inspite of there being strong objection by learned APP and learned counsel for respondent no.2.

4. In the result, the application is allowed in terms of prayer clauses (A) and (A-1), qua applicant nos.4 to 13.

[SANJAY A. DESHMUKH, J.]

[R.G. AVACHAT, J.]

KBP