

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

934 CRIMINAL APPLICATION NO.462 OF 2021

1. Rohit s/o Ramesh Khune.
2. Rohan s/o Ramesh Khune. ... Applicants

Versus

1. The State of Maharashtra.
2. Ankush s/o Ramchandra Autade. ... Respondents

...
Mr. Santosh N. Patne, Advocate for Applicants.
Mr. R. V. Dasalkar, APP for Respondent/State.

...
CORAM : R. G. AVACHAT and
SANJAY A. DESHMUKH, JJ.

DATE : 11th July, 2023.

Per Court:

. Heard. Perused the FIR and the related papers.

2 The victim suffered simple injury to his thigh. The learned counsel for the applicants, therefore, may be justified in contending that Section 307 of the Indian Penal Code should not have been invoked. The learned counsel may be right in his submissions. Since the averments in the FIR and the police papers, *prima-facie*, make out a case to proceed against the applicants, it would be for the Trial Court to frame appropriate charge on hearing the parties concerned.

3 With these observations, the application stands disposed of.

[SANJAY A. DESHMUKH, J.]

[R. G. AVACHAT, J.]