

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 562 OF 2022

RAMPRASAD BABULAL BHANGADIYA

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioner : Mr. Kolhe Mukund L.

APP for Respondent No.1/State : Mr. Y. G. Gujrati

Advocate for Respondent No.2 : Mr. Chavan Sudhir K.

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CORAM : KISHORE C. SANT, J.

DATE : 11th JANUARY 2023.

Per Court :

Heard both the parties.

1. It is seen that the petitioner had filed an application praying that the documents, which are produced by the informant for the first time in his evidence, be not exhibited. The said application was opposed by the complainant/respondent no.2 herein. The learned Court has passed an order allowing the application filed by the petitioner. The petitioner has however, challenged that order saying that in the observations the

Court has observed that the documents can be given exhibit numbers. However, while passing the order, the Court has passed the order itself is against own observations.

2. The notice was issued to the respondent no.2. The respondent no.2 has now appeared. However, considering that once the order is passed by the Court, it is the operative part of the order, which needs to be considered. In view of this, this Court finds that there is no merit in this petition and the same is disposed off accordingly.

3. At the stage, learned Advocate for respondent no.2 submits that he may be granted leave to take proper steps in respect of the order passed by the learned trial Judge. Needless to say that he is at liberty to take whatever steps as advised under the law.

4. With this, the Writ Petition is disposed off.

[KISHORE C. SANT, J.]

Najeeb.