

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

958 CRIMINAL WRIT PETITION NO.527 OF 2023

**SYED ABBAS HUSAIN AHMED HUSAIN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Petitioners : Mr.Bora Satyajit S.

APP for Respondent-State : Ms. R.P.Gaur

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CORAM : R. G. AVACHAT, J.

DATE : 25.04.2023.

PER COURT :

1. Heard.
2. The application preferred by the petitioners for discharge was rejected by the trial Court. The petitioners have been unsuccessful in revision against the said order. They are, therefore, before this Court. The only contention of the learned Advocate for the petitioners herein is that for prosecuting the petitioners for the offences punishable under Section 3 read with Section 25 of the Arms Act, prior sanction of the District Magistrate has not been obtained.
3. Admittedly, the prosecution has not obtained the prior sanction of the District Magistrate for prosecuting the

petitioner for the offence punishable under Section 3 read with Section 25 of the Arms Act. The rest of the offences, for which the petitioners have been proposed to be prosecuted, the petitioners have no grievance.

4. In view of the same, the Writ Petition stands disposed of, with a direction to the trial Court that no charge under Section 3 read with Section 25 of the Arms Act shall be framed against the petitioners. Meaning thereby, the petitioners stand discharged for the offences punishable under Sections 3 read with Section 25 of the Indian Arms Act.

5. The trial Court is requested to frame the charge within two months from the date of the receipt of copy of this order and conclude the trial within ten months thereafter.

(R. G. AVACHAT)
JUDGE

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