

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

75 CRIMINAL APPLICATION NO.2257 OF 2020

1. Sanjay Motiram Chavan,
 2. Ashish Sanjay Chavan
 3. Abhishek Motiram Chavan
- ...Applicants

Versus

1. The State of Maharashtra
 2. Gajanan Rambhau Borade
- ...Respondents

...
Advocate for Applicants : Mr. Raut Ashok D
APP for Respondent No.1: Mr. N.T. Bhagat
Advocate for Respondent No.2 : Ms. Rani R. Tandale (appointed)
.....

**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 3rd JULY, 2023.**

PER COURT :-

1. Heard.
2. After having perused the F.I.R. the overact has been attributed to applicant No.1 Sanjay Motiram Chavan. We are therefore, not inclined to entertain this application in so far as applicant No.1 Sanjay is concerned. The learned advocate for the applicants, therefore, comes around to withdraw the application of applicant No.1 Sanjay. The application thus stands disposed of.
3. So far as applicant Nos. 2 and 3 are concerned, they were

juvenile in conflict with law at the material time. What has been alleged against them in the F.I.R. is that they abused the informant and nothing more. The F.I.R. does not contain abusive words. As such, allowing them to stand the trial would be an abuse of process of court. We are therefore, inclined to allow their application. The application of applicant Nos. 2 and 3, thus stands allowed in terms of prayer clauses "B" and "B-1".

4. Fees of Ms. Rani Tandale, the learned advocate, appointed to represent the cause of respondent No.2, is quantified at Rs.6000/-.

(SANJAY A. DESHMUKH, J.)

(R. G. AVACHAT, J.)

rlj/