

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

53 CRIMINAL WRIT PETITION NO.1641 OF 2022

DATTATRAY RAGHUNATH KALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr. Mayur Subhedar, Advocate h/f Mr. S. B. Rajebhosale,
Advocate for the petitioner
Mrs. P. V. Diggikar, APP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 17th MARCH, 2023

P. C.

1. Heard the learned advocates for the parties for sometime.

2. During the course of the argument the learned advocate for the petitioner relies on the judgment reported in 2021 All MR (Cri) 2480 in the case of Dr. Mamta Mahindra Kabra Vs Sate of Maharashtra in which in similar circumstances this court remitted the matter back to the court of JMFC for deciding application afresh under Section 156(3).

(2)

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3. In view of this, this court finds that it would be appropriate to remit the matter back to the learned JMFC, Pathardi for deciding application under Section 156(3) afresh. With this, criminal writ petition stands disposed off.

[KISHORE C. SANT, J.]

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