

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

23 CRIMINAL WRIT PETITION NO.1579 OF 2017

**DEEPAK S/O. CHANDRABHAN JAGTAP
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...**

**APP for Respondent/s – State : Mr. Y. G. Gujarati
...**

CORAM : KISHORE C. SANT, J.

DATE : 31.03.2023

PER COURT :

Learned APP to verify as to whether the proceeding in the trial Court is still pending or is disposed off.

2. From the prayer in the petition, it is seen that the petitioner is challenging the order rejecting an application for discharge in RCC No.102/2014 pending before the learned Judicial Magistrate First Class, Court -5. The said application is rejected by order dated 23.09.2016. The revision was filed by the petitioner bearing Criminal Revision No. 23/2016. The learned Additional Sessions Judge, Vaijapur by order dated 18.04.2017 dismissed the revision. It is informed by the learned APP that after the application is pending before the learned Court now even the charge is framed.

3. From the order dated 30.01.2018, it is seen that writ petition was placed on record order directing to produce on record order framing the charge. However, the same was not filed even thereafter till now.

4. This Court finds that this petition has become infructuous. However, the petitioner to inform as to whether it survives within a period of three weeks. If no such information is received, it will be presumed that the petition has become infructuous and the same shall stand dismissed without further reference to the Court after three weeks.

(KISHORE C. SANT, J.)

shp/-