



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 CRIMINAL APPLICATION NO. 4516 OF 2023
IN WP/927/2022

Ramrao Waman Band
VERSUS
The State of Maharashtra and Others

...
Advocate for Applicant : Mr. S.A. Nagarsoge
APP for Respondent No.1: Mr. V.K. Kotecha
Advocate for Respondent No.5 : Mr. V.P. Savant

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**CORAM : R. G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 20th DECEMBER, 2023.**

PER COURT :-

Heard.

2. Notice to the respondents. Learned A.P.P. waives notice for respondent No.1 and Mr. Savant waives notice for respondent No.5.

3. Upon hearing the petitioner, this court had directed to register the F.I.R. Although the present applicant was party respondent No.5 in the said writ petition, notice was not issued to him. He being proposed accused, he had no right of audience. Based on the documents placed before us, this court passed order directing registration of F.I.R.

4. Now the applicant comes before us for recalling of the said order and submits that even it was not case of misappropriation of amount and the allegedly misappropriated amount was in fact directly deposited in the Government Treasury by cheque drawn on the account of the Gram Panchayat. If this is so, if any offence is registered, we expect the investigating officer would take this fact into consideration and do the needful.

5. The application is accordingly disposed of.

(SANJAY A. DESHMUKH, J.)

(R. G. AVACHAT, J.)

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