

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

31 CRIMINAL APPLICATION NO.4191 OF 2019

**RAJPAL S/O. VENKATRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.PB. Rakhunde, Advocate for the applicant.

Mr.PN. Kutti, APP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 09.03.2023**

PC :-

01. Heard. The order under challenge is passed by the Additional Sessions Judge-4, Latur dated 02.08.2019 rejecting Criminal Revision Application that was filed by the applicant challenging order passed by the learned Chief Judicial Magistrate, Latur dated 01.01.2019. The learned CJM had rejected the application Exh.178 filed by the original informant. The application was to accept document i.e. forged and fabricated resignation letter as alleged by the informant, created by the accused persons and which is already marked as Article "A".

02. The learned Trial Court on considering the submissions of all the sides, observed that the prosecution case is that the informant has not signed the resignation letter and same is falsely prepared in his name by the accused persons. The said letter is already marked as Article "A". The letter was also sent to the handwriting expert who reported that the signatures and handwriting of the resignation letter are not that of the informant. His

opinion is already exhibited. The learned Trial Court further observed that thus only question is about proving of the document as false and prepared by the accused and rejected the application. The learned Sessions Judge also in para 11 observed that the learned Trial Court has rightly passed order and it is only question of proving of the document. Merely the document is not marked as exhibit will not make any difference. The Sessions Court has kept the question of considering the document open at the stage of final hearing.

03. This Court finds that no perversity is there in the order passed by the learned Sessions Judge. He has not committed any mistake while passing the order. This Court does not find that case is made out to call for interference. Therefore, the criminal application is dismissed.

04. The learned Trial Court is requested to conclude the proceeding of RCC No.857 of 2006 within a period of six months from today.

[KISHORE C. SANT, J.]