

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION (APL) NO. 286 OF 2023

Kuwarsingh s/o Lala Patle vs. State of Maharashtra and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. R. R. Prajapati, Advocate for applicant.
Mr. N. R. Rode, APP for respondent No.1 State.

**CORAM : VINAY JOSHI AND
BHARAT P. DESHPANDE JJ.**

DATE : 08/03/2023

Heard.

2. This is an application under Section 482 of the Code of Criminal Procedure, with a prayer to quash FIR No.31/2023, registered at Police Station, Tiroda, District Gondia, on the basis of the complaint lodged by respondent No.2.

3. The FIR was lodged on 20/01/2023, wherein the name of the present applicant is disclosed along with nine other accused persons.

4. Learned counsel for the applicant would submit that till date applicant is not arrested,

however, his statement is recorded by the police. He then submitted that applicant is aged 74 years and is taking treatment from the Ophthalmologist. Though the certificates are produced, there is no opinion of the doctor that applicant is required to take rest.

5. Since the investigation is in progress and charge-sheet is not filed, we allow the applicant to withdraw the present application with liberty to approach this Court in case charge-sheet is filed against the applicant.

6. In view of the above, application stands disposed of as withdrawn with such liberty.

JUDGE

JUDGE