

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.461 OF 2023

Raju Natthuji Badhe

.VS.

Alka Gopal Murarka

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms Ritu Jog, Advocate for the applicant

CORAM : G.A. SANAP, J.

DATE : MARCH 28, 2023.

Heard the learned Advocate for the applicant.

Perused the record and proceeding.

2. The applicant has filed this application under Section 482 of the Code of Criminal Procedure and prayed that the order of issuance of process, dated 05.03.2019, passed in Summary Criminal Case No. 1067 of 2019, be quashed and set aside.

3. In my view, this is not a fit case to issue notice. The order of issuance of process was passed on 05.03.2019. The applicant/accused appeared before the Magistrate pursuant to the service of summons. The

complainant filed his affidavit of examination-in-chief on 11.07.2019. The applicant/accused accepted the copy of the affidavit of examination-in-chief on 02.08.2019. Learned Advocate appearing for the accused cross examined the PW-1 on 14.10.2021 and 20.11.2021. It is seen that after cross examining the PW-1 at length, this application has been made. The defence of the accused has been disclosed in the cross examination. It is, therefore, seen that the matter is at the fag end. The issue raised in this application can be decided on the basis of their evidence. Therefore, there is no substance in the application. The application stands **dismissed**.

(G. A. SANAP, J.)

Namrata