

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL WRIT PETITION NO.840 OF 2022

Adv.Baban s/o Nimbaji Wankhede and anr.

..vs..

State of Maharashtra and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V. Deshmukh, Advocate for the petitioners.
Shri Doifode, A.P.P. for the respondent /State.

CORAM : VINAY JOSHI AND VALMIKI SA MENEZES, JJ.
DATED : 10/02/2023.

After hearing at length, this Court has expressed its non-inclination to entertain the writ petition on the grounds which have been canvassed.

2. At this stage, learned Counsel appearing for the petitioners seeks for withdrawal with liberty to request the Magistrate for framing charges under Sections 307 and 326 of the Indian Penal Code.

3. The Writ Petition stands disposed of since withdrawn with liberty as prayed for.

4. We hereby made it clear that learned Magistrate is not bound by the Section invoked by the Police. He shall independently apply his mind and frame charges on the basis of material placed before him.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)

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