



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CRIMINAL APPLICATION NO.2339 OF 2024

AMITKUMAR SANJAY PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. S.N. Pagare, Advocate for applicants

Mr. A.M. Phule, APP for respondent No.1

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CORAM : SMT. VIBHA KANKANWADI &
S.G. CHAPALGAONKAR, JJ.

DATE : 23rd OCTOBER, 2024

ORDER :

1 It appears that applicants had approached this Court by filing Criminal Application No.4606 of 2023 for the same relief. That application was withdrawn by order dated 02.01.2024 and at that time in view of the prayer on behalf of applicants liberty was granted to applicants to apply for discharge before the Trial Court. Therefore, we questioned the learned Advocate for applicants, as to whether such application for discharge was filed before the Trial Court or not ? Upon instructions from applicant No.1, he says that such application has not been filed.

2 It is to be noted that at that time this Court had shown disinclination to grant any relief. Even if now the charge sheet is filed; yet, in view of the fact that liberty was granted to applicants to apply for discharge, that too, when it was prayed by applicants and then the applicants are not observing the same, we do not find this to be a fit case where we should exercise our inherent powers under Section 482 of the Code of Criminal Procedure. Application stands rejected.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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