



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

CRIMINAL REVISION APPLICATION NO. 250 OF 2023

ATUL PANDURANG ETHAPE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Ashwin V. Hon
APP for Respondent No.1 : Ms. Vaishali S. Chaudhari
...

CORAM : S. G. MEHARE, J.

DATE : 07-10-2024

PER COURT :-

1. Heard the learned counsel for the applicant.
2. Perused the papers and considered the allegations levelled against the applicant.
3. The case against the applicant was based upon the bank entries. However, there was no material on record that they have made the huge wealth from their unknown income sources. Bold allegation of making money from their job, is not sufficient to believe the complainant. There is nothing on record that the respondent's income was disproportionate to their known income sources. Therefore, the trial Court has correctly refused to exercise powers under Section 156(3) and 202 of the Code of Criminal Procedure (for short, "Cr.P.C.")

4. The learned counsel for the applicant seeks leave to withdraw this petition with liberty to file complaint under Section 200 of Cr.P.C. as his right to file under Section 200 has not been affected by the impugned order. Hence, leave granted to withdraw the application with liberty to file complaint under Section 200 of the Cr.P.C.

5. Criminal revision application stands dismissed as withdrawn at the admission stage without prejudice to the rights of the applicant to seek relief available under the law.

(S. G. MEHARE)
JUDGE

rrd