

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO. 443 OF 2020

Dattatray Bapu Dighe

...Applicant

Versus

The State Of Maharashtra And Anr.

...Respondents

Mr.Pankaj Shinde a/w Bharati P. Shinde Advocate for Applicant.

Ms. K.T. Hivrale, APP for Respondent-State.

PSI M. B. Dhumal, Bhoiwada Police Station is present.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.**

DATE : 27th MARCH 2024

P.C.:-

1. Papers are not traceable in the Registry. The Advocate for applicant shall provide the papers.
2. Learned APP, on instructions, submitted that, charge has been framed against the applicant vide order dated 13th August 2023 by the Court of learned Metropolitan Magistrate, 29th Court at Bhoiwada, Dadar, Mumbai.
3. The prayer in this Application is for quashing the charge-sheet. Since, the charge is framed against the applicant, applicant is at liberty to challenge the order framing charge. The question of quashing the charge-sheet does not arise.
4. We permit the applicant to amend the Application and challenge the order framing charge. Requisite amendment may be carried out in this

petition and prayer clause.

5. Pursuant to the amendment, the Application may be listed before the learned Single Judge.
6. Liberty to move before appropriate Court.
7. Applicant is permitted to serve Respondent Nos. 3 and 4 by way of private service.
8. Applicant is permitted to prefer application before the trial Court seeking adjournment. If such application is preferred, the trial Court shall adjourn the matter for four weeks.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)