

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 574 OF 2024
IN
CRIMINAL REVISION APPLICATION (ST) NO. 2111 OF 2024

Rakesh alias Balasaheb Shantilal Tated ...Applicant

vs.

The State of Maharashtra and Ors. ...Respondents

Mr.Abhijit Kulkarni a/w Mr.Chinmay Patil h/f Abhijit Associates –
Advocate for Applicant.

Mr.A.D.Kamkhedkar – APP for Respondent No.1 – State.

CORAM : S. M. MODAK, J.

DATE : 12th FEBRUARY 2024

P. C. :-

1. Heard learned Advocate for the Applicant – First Informant.
2. In a Police case instituted on FIR, the Police have charge-sheeted three Accused for the offence punishable under Section 307 read with 34 of Indian Penal Code, 1860 [“IPC”]. The learned Additional Sessions Judge as per the order dated 13th January, 2017 was pleased to discharge them for those offences. Whereas, the case was sent to the Magistrate Court for trial under Sections 323, 324 read with 34 of IPC.

3. The First-Informant received a summons and then came to know about the passing of order. He wants to challenge it by way of Revision. That is why, there is a delay of more than six years. Let notice be issued to Respondent Nos.2 to 4 on delay condonation application as well as on proposed Revision Application returnable on 26th February, 2024. Private notice, in addition, is allowed. Affidavit of service be filed. Learned APP waives notice for Respondent No.1 – State.
4. Let learned APP also to take instructions whether the State has filed a Revision against the impugned order.

[S. M. MODAK, J.]