

**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 2021

Rakesh alias Balasaheb Tated ...Applicant

VS.

The State of Maharashtra & Ors. ...Respondents

Mr. Chinmay Patil i/by Mr. Abhijit Kulkarni, Advocate for Applicant.
Mr. H.J. Dedhia, APP for the State.

CORAM : S. M. MODAK, J.
DATE : 3rd APRIL 2024

P. C. :-

1. This matter is supposed to be listed on 26th March, 2024, it is not listed. Praecipe is moved. Taken on Board.
2. The Trial Court has discharged Respondent No.2 for the offence under Section 307 of the Indian Penal Code. However, prosecution has continued for rest of the offences. This revision is filed by the First

Informant and now the matter is fixed before the Trial Court on 6th April, 2024.

3. Respondent No.2 is served personally. An affidavit of service is filed.

4. Let this matter be listed on **23rd April, 2024, high on board.**

5. Even if the charge will be framed for remaining sections, if the Applicant succeeds in this revision, subsequent directions can be given to the Trial Court to alter the charge. After framing of the charge, if the Trial Court will proceed with recording of evidence, in that eventuality, the Applicant is at liberty to press for interim relief.

Lateron

6. Mentioned the matter at 6 pm. Submission is made that wrong statement was made about stage of the trial. In fact it is for recording of evidence.

7. No change in the earlier order. Liberty to seek circulation along with necessary documents, showing

the stage of the case for recording of evidence.

[S. M. MODAK, J.]