



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 41/2024

(Mr. Avinash Ramchandra Badbudhe Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R.S. Kulkanri, Advocate for applicant.
Mr. J.Y. Ghurde, APP for non-applicant/State.

CORAM: VINAY JOSHI AND
ANIL L. PANSARE, JJ.

DATED : 10/01/2024.

Heard.

2. This is an application seeking to quash charge-sheet bearing RCC No. 457/2011 pending on the file of Judicial Magistrate First Class, Nagpur arising out of Crime No. 88/2010 registered with Police Station Lakadganj, Nagpur for the offence punishable under Sections 420, 465, 466, 467, 468, 471 of the Indian Penal Code. It has informed us that charge-sheet was filed in the year 2011 whilst the Trial Court has framed charge on 08.04.2013. Thereafter, one witness has been examined in the year 2014 and then there is no prosecution.

3. Apparently, the applicant was well aware in the year 2011 itself about the material against him transmitted in the charge-sheet. The applicant has informed that he has not applied for discharge, but allowed the Trial Court to proceed in the shape of framing charge and recording evidence of one witness. It is apparent that since the trial is prolonged, it occasioned to the applicant to take a

chance before this Court.

4. In above peculiar facts, we are not inclined to entertain this application. Hence, application stands dismissed.

5. The Trial Court is directed to expedite the trial and take all necessary steps to secure the presence of witness and the applicant in case of uncalled absence.

6. Inform the Trial Court accordingly.

7. Application stands disposed of in above terms.

(ANIL L. PANSARE, J.)

(VINAY JOSHI, J.)

Gohane