



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

Criminal Application (APPW) No. 98 of 2024
in
Criminal Writ Petition (WP) No. 684 of 2022

Tarachand Omprakash Goud
Versus

State of Maharashtra through Police Station Officer, Dhantoli Police
Station, Nagpur and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.H.Mansuri, Advocate for the petitioner.
Shri H.D.Futane, APP for the respondent/State.

**CORAM : SMT. VIBHA KANKANWADI &
MRS. VRUSHALI V. JOSHI, JJ.**

DATED : 4th JULY, 2024.

Learned advocate for the petitioner points out that he has filed the Misc. Criminal Application 98 of 2024 for amendment, in view of the fact that inquiry report of the learned Judicial Magistrate First Class, is now available.

2. We will have to mention here that when the matter was on board on 12th June, 2024, learned advocate for the petitioner sought accommodation to file additional documents on record. Leave was granted and he was supposed to file additional affidavit along

with additional documents on or before 1st July, 2024. The petitioner has not complied with the said order, but on the contrary filed this application. Learned advocate for the petitioner ought to have avoided unnecessary adjournment.

3. Now when the report under Section 176 of the Code of Criminal Procedure has been forwarded by the learned Judicial Magistrate First Class to the Chief Judicial Magistrate, the document in the form of inquiry report is coming forward. We find that even the application for seeking leave to amend is not properly drafted. We allow the oral prayer of the petitioner to amend the petition. Accordingly, the application is allowed and disposed of.

4. Amendment to be carried out within a period of one week. Copy of the amended petition be given to other sides on or before 23rd July, 2024. Reply, if any, on behalf of the State to be filed on or before 6th August, 2024.

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5. Place the matter for further consideration on **13th August, 2024.**

[MRS. VRUSHALI V. JOSHI, J.]

[SMT. VIBHA KANKANWADI, J.]