



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.44 OF 2024

- 1) Vikrant S/o Dilip Bhagat,
Aged About -32 years, Occu:Private,
R/o-Ward No.3, Near Office of
Forest Range Officer, Baudhwadi,
Taluka-Mahur, District-Nanded,
- 2) Shrikrishna S/o Sukhdev Raut,
Aged About – 53 years, Occu:Business,
R/o-Ward No.12, Brahmangalli,
Mahur, Taluka-Mahur, District-Nanded,
- 3) Avinash S/o Mohan Chawan,
Aged About-27 years, Occu:Private,
R/o-Lakhmapur Tanda,
Taluka-Mahur, District-Nanded.

...APPLICANTS

VERSUS

- 1) State of Maharashtra,
Through Police Station, Mahur,
District-Nanded,
- 2) Dadrao S/o Amrutrao Deshmukh,
Aged About-28 years, Occu:Agriculturist,
R/o-Aamghavan, Taluka-Handgaon,
District-Nanded.

...RESPONDENTS

...
Mr. Namit S. Muthiyan Advocate Advocate for Applicants.
Mr. S.A. Gaikwad, A.P.P. for Respondent No.1.
Mr. Avinash D. Hande Advocate for Respondent No.2.

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**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 19th SEPTEMBER, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Present Application has been filed for quashing the proceedings in R.C.C. No.40 of 2022, pending before the learned Judicial Magistrate First Class, Mahur, District-Nanded, arising out of the First Information Report (for short "the FIR") vide Crime No. 11 of 2022, registered with Police Station, Mahur, District-Nanded, on 17th February 2022, for the offence punishable under Sections 394, 323, 504 read with Section 34 of the Indian Penal Code.

2. The learned APP Produces on record the Daily Status of certain dates before the learned trial Court in R.C.C. No.40 of 2022. It appears that on 16th September 2023 application Exhibit-40 was filed by the applicants stating that present Application has been filed by them and therefore, the matter should be adjourned. This application came to be filed when the evidence was part-heard. The same Status continued till 24th November 2023. Then on 5th January 2024, the application was filed by the applicants for production of documents and the

adjournment was sought for conducting cross-examination of the witness. On 30th August 2024, when the evidence was part-heard, the learned Advocates for the applicants were absent. Non-bailable warrant came to be issued against accused No.2. Again on 24th January 2025, on the basis of pendency of the present Application, adjournment was sought by filing Exhibit-47, when the matter was part-heard. That means, when the evidence is part-heard and there is no stay granted by this Court, the applicants are prolonging the matter, which is part-heard. This is not the proper conduct and therefore, on this count alone we do not take this to be a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure.

3. The Criminal Application stands rejected.

[HITEN S. VENEGAVKAR]

JUDGE

asb/SEP25

[SMT. VIBHA KANKANWADI]

JUDGE