



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.378 OF 2024

1. Taterao S/o. Ramesh Pache
Age- 32 years, Occupation- Labour
R/o. At Post Golatgaon
Tq. And Dist. Aurangabad.
2. Ramesh S/o. Barku Pache
Age- 70 years, Occupation- Nil.
3. Laxmibai w/o. Ramesh Pache
Age- 65 years, Occupation- Nil.
R/o. As above mentioned.
4. Lankabai W/o. Avinash Padar,
Age- 25 years, Occupation- Agri.
R/o. Jalgaon Tq. Shevgaon
Dist. Ahemednagar.

.. Applicants

Versus

1. The State of Maharashtra
Through Police Inspector,
Karmad Police Station,
Tq. & Dist, Aurangabad.
2. Varsha W/o. Taterao Pache
Age- 32 years, Occupation- Agri.
R/o. At Post Pimpriraja (kh.)
Tq. And Dist. Aurangabad.

.. Respondents

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Mr. G. A. Ambildhage, Advocate for the applicants.

Mr. S. A. Gaikwad, APP for respondent No.1/State.

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**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

DATE : 14 JULY 2025

ORDER :

. The FIR and the charge-sheet came to be filed in 2018 for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code and the present matter was filed on 11.12.2023. When we had asked the learned Advocate for the applicants as to why the applicants have come belatedly before this Court, he says that the matter is not proceeding before the trial Court and, therefore, by order dated 02.07.2025, we had called the report from the concerned Judicial Magistrate First Class, Aurangabad.

2. The report has been given by learned 4th Joint Civil Judge Junior Division and Judicial Magistrate First Class, Aurangabad stating that the matter has been transferred to her Court in August 2024 and prior to that it appears that the original informant and the witnesses were repeatedly served with witness summons, but they failed to appear. It appears that the Magistrate has not taken the further steps for getting the presence of the witnesses, however, she has stated that she would dispose of the matter on merits within the time frame of one month by posting it on day to day basis. She has also tendered apology for the delay caused.

3. Taking into consideration the said report, we expedite the matter and make it time bound. Learned 4th Joint Civil Judge Junior Division and Judicial Magistrate First Class, Aurangabad is directed to try and dispose

of Regular Criminal Case No.898 of 2018 within a period of one month from today and if the witnesses are not causing their presence in response to the witness summons, all the legal procedure to be adopted for securing their presence or even in their absence, the further proceedings to be taken. We also direct the learned APP to direct the concerned APP, who would be conducting the said case, not to insist upon the examination of unnecessary witnesses in the matter.

4. With these directions, the application stands disposed of.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm