



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

CRIMINAL WRIT PETITION NO. 293 OF 2023

Sudhakar Bhavrao Dhatbale

VERSUS

The State Of Maharashtra And Others

Mr. D. A. Bide, Advocate for petitioner

Mr. V. K. Kotecha, APP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 25th September, 2025

PER COURT :-

1. Heard learned Advocate for the petitioner.
2. Taking into consideration the prayer clauses and the other material on record, it can be seen that the investigation was completed and charge-sheet was filed vide R.C.C. No. 2137/2018, thereafter, it also appears that the investigation continued and certain documents have been collected i.e., documents appears to have been placed on record which were along with communication dated 10.11.2019. It is then stated that due to the merger of the cellular company, there was some technical problem. However, even by letter dated 08.02.2021 further progress in the investigation was communicated to the Magistrate. On 09.11.2022, it was then informed that there is no further evidence that could to be collected which can be said to be given as a part of

supplementary charge-sheet. Now, it is the case of the petitioner that co-accused has not been made as accused who was in a glob with the original accused. In this connection we would like to say that when already the charge-sheet is filed, the further action can be taken under Section 319 of the Code of Criminal procedure, if the evidence discloses involvement of any other accused.

3. Learned Advocate appearing for the petitioner is relying upon the observation from Criminal Application No. 1178/2019 decided by this Court on 05.07.2019 (Sudam Nanasaheb Bhandwalkar vs. State of Maharashtra and another). However, that petition was for quashing the proceedings which was rejected i.e., observation were in view of the possibilities that could arise in view of further investigation and, therefore, we do not take this to be fit case where we should exercise our constitution powers under Section 226 of the Constitution of India and where there is alternative efficacious remedy available to the petitioner.

4. Petition stands dismissed.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi