



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

CRIMINAL WRIT PETITION NO. 286 OF 2020

1. Pramod s/o Jagannath Shetke,
Age; 60 years, Occ; Pensioner,
R/o; C-27, Laxmi Vasahat, Kolhapur
Tq. & Dist. Kolhapur.

...PETITIONER
(Orig. Accused No. 5)

VERSUS

1. The State of Maharashtra,
Through Secretary,
Home Department,
Mantralaya Mumbai – 32.
2. The Police Inspector,
MIDC, Police Station,
Latur, Tq. & Dist. Latur.
3. Vivek Shankarrao Deshpande,
Age; 60 years, Occ; Service,
R/o; Aditya Nagar, Aurangabad
Tal. & Dist. Aurangabad.
4. Arun Vasantrao Deshpande,
Age; 63 years, Occ; Service,
R/o; Shahanurwadi, Aurangabad.
Tq. & Dist. Aurangabad.
5. Laxmikant Rangnath Kulkarni,
Age; 40 years, Occ; Service,
R/o; India nagar, Latur,
Tal. & Dist. Latur.
6. Sudam Vitthalrao Kulkarni,
Age; 40 years, Occ; Service,
R/o; Tuljabhavani Nagar, Latur,
Tal. & Dist. Latur.

...RESPONDENTS.
(Resp. No. 2 Orig. Complainant
Resp. Nos.3 to6 Orig. Accused)

...
Advocate for the Petitioner : Mr. Ramesh Dube Patil (Through V.C.) h/f
Jay and Co.

APP for Respondents/State : Ms.Anuradha S. Mantri

...

CORAM : SUSHIL M. GHODESWAR, J.
Date : 28.11.2025

PER COURT :

1. The petitioner is challenging the order passed by the learned Additional Sessions Judge, Latur, on 03.10.2019, in Criminal Revision No. 41 of 2015. The learned Additional Sessions Judge, vide said order, has rejected the Criminal Revision No. 41 of 2015, wherein, the order rejecting Exhibit 13 i.e. application of the petitioner seeking discharge was challenged. The learned Chief Judicial Magistrate, vide his order dated 05.02.2015 has rejected the discharge application below Exhibit 13 in RCC No. 268 of 2013.

2. Before going to the merits of the matter it is pertinent to mention here that this matter was filed in the year 2020 and was listed before this Court for the first time on 21.11.2025 i.e. after 5 years. On 28.11.2025 the parties by consent sought one week's time. However, on today when this matter was listed, Mr. Ramesh Dube Patil (Through V.C.) h/f Jay and Co., learned Counsel for the petitioner submitted that the Subordinate Courts have not correctly appreciated the facts and the documents involved in the crime. The complaint has been filed against him with ulterior motive, on the basis of false and frivolous allegations, and therefore, he submits that ongoing prosecution is nothing but abuse of process of Court and therefore, prayed for quashing and setting aside the order passed by the learned Subordinate Courts.

3. On the other hand, learned APP supported the impugned orders by contending that the order dated 05.02.2015, passed by the Chief Judicial Magistrate, thereby rejecting application of the petitioner filed below Exhibit 13 for discharging him under Section 239 of the Code of Criminal Procedure, 1973, is detailed reasoned order thereby giving each and every justification to the issues raised by the petitioner. The same is, therefore, correct and proper. The order dated 03.10.2019, wherein, the learned Additional Sessions Judge has dismissed the Criminal Revision preferred by the present petitioner, is also a reasoned order. Therefore, the petition is dismissed.

4. After going through both the orders, this Court is of the opinion that no case can be said to be made out by the petitioner for causing interference by this Court in the impugned orders and therefore, the same are required to be maintained. Even otherwise, Regular Criminal Case No. 268 of 2013, which is lodged against the petitioner must have progressed a lot till the date. The petitioner by filing the instant petition in the year 2020, has flatly slept over his right till the year 2025 and therefore, even otherwise, the petitioner would be said to be virtually not alert and therefore, after finding no merit in the instant petition, the Criminal Writ Petition is dismissed. No order as to the costs.

(SUSHIL M. GHODESWAR, J.)