



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 CRIMINAL APPLICATION NO.3054 OF 2019

1. Kesarbai w/o Vishwanath Raut
2. Vishwanath s/o Bhagaji Raut
3. Vandana w/o Babasaheb Raut
4. Babasaheb s/o Vishwanath Raut

.. Applicants

Versus

1. The State of Maharashtra
Through its Police Inspector,
Police Station Mukundwadi,
Aurangabad.
2. Jyoti w/o Yuvraj Raut

.. Respondents

...

Mr. D. G. Kamble, Advocate for Applicant (Absent)
Mr. V. K. Kotecha, APP for Respondent No.1/State.

...

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

DATE : 24 SEPTEMBER 2025

ORDER :

. Learned Advocate for the applicants is absent.

2. On 02.02.2021, following order was passed by this Court :-

“ . Nobody is present for the applicants. The crime was registered in the year 2016. Charge-sheet must have been filed but copies of paper of investigation are not produced. No interest was shown to prosecute the matter even when the matter was filed in the year 2019. The matter came before

this Court today only due to direction given by this Court to keep all such matters before the Court. If matter is not prosecuted on the next date, matter itself will be dismissed. Stand over to 26.02.2021.”

3. It appears that even on 26.02.2021, the learned Advocate for the applicant remained absent, however, no order of dismissal was passed by this Court and, thereafter, the matter was never got circulated by the applicants.

4. Learned APP informs that the applicants had appeared before the trial Court on 10.06.2019. Thereafter, after few dates, they remained absent. Warrant is not issued against them, but in spite of their absense, the stage is shown as awaiting summons. This indicates that the applicants are neither prosecuting this application, nor they are remaining present before the trial Court. Therefore, on the basis of their own conduct, we do not find this to be a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure.

5. The application stands rejected.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm