



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

8 CRIMINAL APPLICATION NO. 1942 OF 2025

ADITYA SANJAY CHAVAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. N.B. Narwade Advocate for Applicant.

Mr. V.K. Kotecha, A.P.P. for Resp. No.1.

Mr. Kartik Katariya Advocate for Resp. No.2.

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

DATE : 8th JULY 2025

ORDER :

1. Learned Advocate Mr. Katariya appears suo moto for respondent No.2. He may file Vakalatnama within a period of two weeks.

2. Learned Advocate for the applicant submits that there is a compromise between the applicant and respondent No.2 and respondent No.2 has filed affidavit which he has made part of the application itself. We deprecate this kind of practice. Though the document attached bears the heading as "Affidavit on behalf

of applicant, respondent No.2 complainant", it is absolutely not in the form of an affidavit. Secondly, there cannot be a joint affidavit. Affidavit has to be by a single person, that too, on solemn affirmation. What has been appended here is the verification. Verification is different than the affidavit and the affidavit is also signed by both the Advocates. The format is absolutely not as per the procedure laid down in law. Now respondent No.2 states that after the registration of the offence he realized that the dispute arose due to the sudden provocation and because of the misunderstanding in the heat of anger.

3. At this stage, we are not convinced with the reasons. The only thing is that the learned APP to get the status of the investigation.

4. Place the matter for further consideration on 28th July 2025.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE