



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

5 CRIMINAL WRIT PETITION NO.115 OF 2025

ARUN SHESHRAO KHUTEKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. S.B. Parnere, Advocate for petitioner

Mr. N.R. Dayama, APP for State

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

DATE : 10th JUNE, 2025

ORDER :

. Heard learned Advocate for petitioner. Petition has been filed to direct respondent Nos.1 and 2 to add respondent Nos.3 and 4 as an accused in Crime No.204/2022 dated 31.08.2022 registered with M.I.D.C. Paithan Police Station, Tq. Paithan, Dist. Aurangabad, for the offence punishable under Sections 306, 447, 143, 323, 504, 506 of the Indian Penal Code. Further prayer is to direct the Investigating Officer to conduct further investigation in respect of the added accused.

2 The charge sheet is filed in the matter and Regular Criminal Case

No.331/2023 appears to be before the learned Judicial Magistrate First Class, Paithan, Dist. Aurangbad. The possibility of committing the case to the Court of Sessions cannot be ruled out and, therefore, wherever the matter is, the petitioner can invoke Section 319 of the Code of Criminal Procedure as well as Section 173(8) of the Code of Criminal Procedure and when there is efficacious remedy available, this Court would be slow in exercising its powers under Article 226 of the Constitution of India. Therefore, the learned Advocate for petitioner seeks withdrawal of petition with liberty to take appropriate steps. In view of the said statement, the petition stands disposed of as withdrawn with liberty as prayed.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

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