

In the Court of Chief Judicial Magistrate, Wardha.
(Presided over by Smt.H.A.Ansari)

R.C.C.No.544/2017
(CNR No.MHWRO30083312017)

State of Maharashtra
Through P.S.O.Wardha City, Distt.Wardha

Complainant

Versus-

Sau.Ashish Vasantao Bawane

Name of Accused

Order Below Exh.16
(Order passed on 21st day of February, 2022)

Perused. Heard.

Application in hand is filed by accused for his discharge and/or dismissal of the matter.

Perusal of record depicts earlier application at Exh.4 filed under section 239 of Cr.P.C. for discharge of accused is rejected vide order passed on dt.23.1.2019.

Even before that on dtd.14.3.2018 the charge came to be framed against the accused.

Examination in chief of informant is also recorded on dtd.23.1.2019 and since then the matter is pending for cross examination of informant. As such, the application under section 239 of Cr.P.C. is prima facie is not maintainable.

Considering the contention that accused is falsely implicated in the case, the aspect would be considered at an appropriate stage.

As it is the warrant case instituted on police report, therefore, provisions of dismissal of the matter as contemplated under

section 256 of Cr.P.C. is also not applicable. Net residue thus result into following order.

Order.

Application is rejected.

Wardha
Dt/- 21-02-2023.

(Smt.H.A.Ansari)
Chief Judicial Magistrate,Wardha

CERTIFICATE

Name of Stenographer	: J.K.Mudliyar,(Steno Grade-II)
Court	: Chief Judicial Magistrate, Wardha.
Date	: 02-02-2023
Judgment signed by the	
Presiding Officer on	: 02-02-2023