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CRI RA 176 OF 2021

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

**980 CRIMINAL REVISION APPLICATION NO.176 OF 2021**

RAHUL BHIRSING SAHARE  
VERSUS  
THE STATE OF MAHARASHTRA

\*\*\*  
Advocate for Applicant : Shri Saurish Shetye i/b.  
Shri Prem Kumar R. Pandey  
APP for Respondent : Shri S.B.Narwade

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**CORAM : M.G.SEWLIKAR, J.**

**DATE: 14<sup>th</sup> January, 2022**

**PER COURT:-**

1. Heard learned counsel for the applicant. He submits that application under Sections 91 and 242(2) of the Code of Criminal Procedure was presented by the prosecution during the trial for production of additional documents by the witnesses. This application was rejected by the trial Court. Prosecution preferred revision before the Sessions Court. The Sessions Court allowed the revision by its order dated 8<sup>th</sup> November, 2021.

2. Learned counsel for the applicant submits that the Sessions Court was not competent to entertain revision as the impugned order is an interlocutory order. The learned Additional Sessions Judge entertained the revision and allowed it. This order is without jurisdiction. He further submits that revision is

maintainable as revisional Court has to ascertain the legality, correctness and propriety of the orders passed by the trial Court or the Appellate Court. He submits that since the impugned order is without jurisdiction, revision is maintainable.

3. Keeping the issue of maintainability of revision open, issue notice to the respondent-State, returnable on 25<sup>th</sup> February, 2022. Till then impugned order is stayed.

**( M.G.SEWLIKAR )  
JUDGE**

SPT