

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 283 OF 2015

VISHWANATH S/O RAMCHANDRA HARKAL

VERSUS

THE STATE OF MAHARASHTRA & ORS

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Advocate for Petitioners : Mr. Deshpande C. R.

APP for Respondents: Mr. B. L. Dhas

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CORAM : T. V. NALAWADE &**SMT. I. K. JAIN, JJ.****DATE : 7th April, 2015****PER COURT :**

1. Learned APP submits that after making investigation, 'C' summary report is filed by the Police. Learned counsel for the petitioner submits that he would like to move before the Magistrate to file protest proceedings. He placed reliance on **Bhagwati Singh Vs. Commissioner of Police and another** reported in **AIR 1985 SUPREME COURT 1285**.

2. In ordinary course, the Magistrate is expected to issue notice to the complainant before passing order of acceptance of report. The complainant needs to be heard. With this observation, the proceeding is disposed of.

(SMT. I. K. JAIN, J.)**(T. V. NALAWADE, J.)**

JPC