

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1408 OF 2015

Eknath s/o. Sarjerao Kartare **....Applicant.**

Versus

The State of Maharashtra & Anr. **....Respondents.**

Mr. S.T. Veer, Advocate for applicant.

Mr. S.B. Pulkundwar, APP for State.

**CORAM : T.V. NALAWADE &
SMT. I.K. JAIN, JJ.**

DATED : 20th March, 2015.

ORDER :

1. The application is filed to challenge the so called notice dated 11.3.2015 given by the Investigating Officer of Police Station, Hasnabad, Tal. Bhokardan. In the notice, it is informed to the applicant that in view of the registration of one crime, the police station was submitting a proposal to start proceeding under section 110 of Cr.P.C. It was informed to him that they were filing proposal and so, he needs to attend the office of Executive Magistrate on 13.3.2015. Present applicant was not arrested, the cognizance of the report was not taken by the Magistrate and the show cause notice is not issued by the Magistrate. Thus, there is no cause of action for the present

proceeding. There is no possibility of invoking inherent jurisdiction of this Court at this Stage. Dismissed.

2. The learned counsel submitted that section 110 is not applicable. He can make such submission before Executive Magistrate. All points are kept open.

[SMT. I.K. JAIN, J.]

[T.V. NALAWADE, J.]

ssc/