

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, Court's or Judge's orders.
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CRIMINAL WRIT PETITION NO. 800 OF 2014

PRASHANT SAHEBRAO MOHITE AND ANOTHER
 VERSUS
 THE STATE OF MAHARASHTRA AND ANOTHER

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 Advocate for Petitioners : Mr. Tawshikar Swapnil D.
 APP for Respondent No.1: Mr. K. S. Patil.
 Advocate for Respondent No.2 : Mr. R. S. Deshmukh.

CORAM: T. V. NALAWADE &
SMT. I. K. JAIN, JJ.
DATED: 18th MARCH, 2015.

PER COURT:

1. This Court had referred the matter to Mediator in view of the relationship between the original complainant, Respondent No.2 and the Petitioner No.1. Petitioner No.1 is son of Respondent No.2. Private complaint was filed for offence punishable under sections 406, 420, 468, 34 etc. of I.P.C. and it appears that order is made under section 156 (3) of Cr.P.C. and directions were given to police for investigation. It appears that in view of the order made by this Court, the

investigation is not complete and charge sheet is not filed.

2. The father has made allegations against the Petitioner No.1 that he created the false record of Power of Attorney for getting the custody of tractor. They have settled the dispute and accordingly there is a report of Mediator and joint affidavit of parties. In view of relations and dispute between the parties and this Court holds that power under section 482 of Cr.P.C. and Article 226 of the Constitution of India needs to be used. The complainant is identified by Advocate Mr. G. A. Kulkarni and he made a statement that the complainant is present in the Court.

3. In the result, the petition is allowed. F.I.R. registered on the basis of direction given by learned J.M.F.C., Kannad in R.C.C. No.110 of 2014 to make investigation is hereby quashed and set aside.

[SMT. I. K. JAIN, J.] [T. V. NALAWADE, J.]

Dt.18/03/2015

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