# IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
# BENCH AT AURANGABAD.
# CRIMINAL APPELLATE JURISDICTION.

**Criminal Writ Petition No.1 Of 2003.**

Chintaman s/o Jairamji Bhoyar.
**Versus.**
The State of Maharashtra & Ors.

**Appearance =>**

Mr. M.A. Manjramkar, Advocate for the Petitioner. Not Present.

Mr. V.H. Dighe, Additional Public Prosecutor for the State of Maharashtra.

Mr. A.D. Kasliwal, Advocate for Respondent No.2 – original accused.

**CORAM : V.M. DESHPANDE, J.**

**DATE : 11th FEBRUARY, 2015.**

**Per Court :-**

None present for the Petitioner. I have heard Mr. V.H. Dighe, learned Additional Public Prosecutor for the State. Mr. A.D. Kasliwal, learned counsel for Respondent No.2 is present.

**[2]** Present petitioner is the complainant in Regular Criminal Case No.612/01. Present Respondent No.2 – Hansi w/o Ramesh Jariwala filed Criminal Revision Application before the learned Additional Sessions Judge, Aurangabad bearing No.201/2001 and, thereby, challenged the order dated 5th May, 2001 passed by the learned Judicial Magistrate, First Class (Railway), Aurangabad passed in Regular Criminal Case No.612 Of 2001 by which the learned Magistrate issued process against her for the offences punishable under Section/s 420 of the Indian Penal Code.

**[3]** The learned revisional court on 11th January, 2002 allowed the Criminal Revision Application filed on behalf of Respondent No.2 and, thereby, set aside the order of issuance of process.

**[4]** Heard learned counsel for Respondent No.2 and learned Additional Public Prosecutor for the State. I have gone through the order impugned. The order clearly reflects that there was an agreement in between the petitioner and Respondent No.2 in the year 1995. According to the complaint, the construction of flats is of sub standard. The learned revisional court has rightly considered the aspect that the dispute between the petitioner and respondent No.2 is purely of civil nature. The order impugned does not suffer from any irregularity or perversity. There is no error apparent on the face of record. In that view of the matter, Writ Petition is dismissed.

**(V.M. DESHPANDE, J.)**