

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. WRIT PETITION NO. 491 OF 2015

Shri Avinash (Om) Velcha	... Petitioner.
V/s.	
The State of Maharashtra	... Respondent.

Mr. Pawan P. Mali, Advocate for Petitioner.
Ms. G. P. Mulekar, A.P.P. for the State.

CORAM : M.L.TAHALIYANI,J.
DATE : 24th JUNE, 2015

P.C. :

1 Heard the learned counsel appearing for the petitioner and the learned APP for the State.

2 The petitioner is aggrieved of the order passed by the Magistrate below Exh. 1 in O.M.A. No. 1431 of 2014. The petitioner had filed an application under section 156 (3) of the Code of Criminal Procedure. The learned Magistrate, instead of sending the complaint to the police for investigation, had directed that the complaint be heard under section 200 of the Cr.P.C.. In my opinion, the learned Magistrate has not done anything wrong as the second option was available to him. He has recorded reasons for the same. I do not find any fault with the order of the learned Magistrate.

3 Hence, writ petition stands dismissed summarily.

(JUDGE)