

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 944 OF 2015

Jayesh Shyam Seernani	...	Applicant
vs.		
State of Maharashtra & Ors.	...	Respondents

Mr. Tapan Thatte, Advocate, for the applicant
Mr. Arfan Sait, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 15th September, 2015.

P.C.

Rule. Rule returnable with the consent of the parties.

2. The applicant herein happens to be the original complainant in CC No.370/MISC/2014. The applicant herein had filed an application before the Metropolitan Magistrate seeking further investigation under Section 173(8) of the Cr.P.C.

3. The learned counsel for the applicant fairly submits that the application was not filed through the prosecution, but was filed by the original complainant in his private capacity. The learned Magistrate had called for a 'Say' from the other side. The 'Say' has been filed by the

prosecution. However, the learned Magistrate has adjourned the matter to 9.12.2015 and has directed the complainant to file his reply on the Say. The learned Magistrate, after obtaining the Say of the present applicant shall decide the application seeking further investigation within four weeks from the date of receipt of this order.

Petition stands disposed of with the above direction.

(SMT.SADHANA S.JADHAV, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.