

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application No. 500 of 2015 (APL)

Kiran s/o Vasantrao Yede vs. State of Maharashtra

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Mr. R.L.Alone, Advocate for the applicant.

Mr. S.B.Ahirkar, APP for respondent.

CORAM: B.R.GAVAI & PRASANNA B. VARALE, JJ

DATE : 24.8.2015

Perusal of the First Information Report would reveal that the allegations which are made in the report, are sufficient to constitute the ingredients of the offence for which First Information Report is lodged. It is the contention of the learned counsel for the applicant that in view of Section 78 of the Information Technology Act, 2000, only an Officer above the rank of Inspector of Police can investigate the matter.

Perusal of the provisions of Section 78 of the said Act would reveal that it pertains only to investigation. It can, thus, be seen that the investigation requires to be carried out by an Officer, who is not below the rank of an Inspector.

However, same does not apply to the first informant. As such no case is made out for interference. Hence, application is rejected.

JUDGE

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