

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**CRIMINAL APPLICATION NO.839 OF 2012****with**

Criminal Application No.1222 of 2012

Criminal Application No.5444 of 2015

(Dilip Prabhat Patil and others **Vs** State of Maharashtra and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders CORAM : A.V. NIRGUDE, J. DATED : 18.04.2016
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Mr. Swapnil S. Patil, Advocate for the applicants

Mr. V. M. Kagane, APP for the respondent/ State

Mr. Rahul G. Joshi, Advocate for respondent No.2

1. This Application in R.C.C. No.431 of 2009 pending before the Court of learned Judicial Magistrate, First Class, Sillod is seeking quashing of the case.

2. On perusal of the complaint and medical evidence I have no doubt

that the complaint has element of truth. The investigation has already been done. The charge-sheet ought to have been filed because there is ample material against the accused. The material which is required to be looked into for deciding as to whether charge-sheet should be filed, is the statement made in the compliant and supporting medical certificate, which clearly indicated that the respondent/complainant did suffer fracture injury on his hand. According to the complainant he sustained injury due to a blow of hard and blunt weapon on his hand etc.

3. B-summary report deserves to be rejected. The police is directed to file charge-sheet against the

applicants.

3. In the light of this order Criminal Application No. 1222 of 2012 & Criminal Application NO.5444 of 2015 filed regarding compromise are rejected accordingly.

4. This Criminal Application stands dismissed accordingly.

[A.V.NIRGUDE, J.]