

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.740 OF 2016

Shankar s/o Ganeshrao Lahane,
Age-59 years, Occu:Agril & Labour,
R/o-Near Maroti Mandir, Mahora,
At Post-Mahora, Tq-Jafrabad,
Dist-Jalna.

...PETITIONER

VERSUS

Sanjiv s/o Dharmaji Suryawanshi,
Dy. Executive Engineer, M.S.E.D.C.L,
Branch Flying Squad, Buldhana,
Tq. & Dist-Buldhana
and others.

...RESPONDENTS

...

Mr.D.B. Pawar Advocate for Petitioner.
Mr.K.S. Hoke Patil, A.P.P. for Resp. No.9.

...

CORAM: A.I.S. CHEEMA, J.

DATE : 11TH JULY, 2016

ORDER :

1. Heard learned counsel for Petitioner -
original complainant and learned A.P.P. for State.
Perused the Writ Petition. The complainant filed

Criminal Complaint No.65 of 2015 before the J.M.F.C. Jalna against the Respondents - accused. The J.M.F.C. observed that the act alleged by the complainant appeared to be committed by the accused in discharge of the official duty and so sanction was required. The J.M.F.C. passed orders giving opportunity to the complainant to produce the sanction. However the Petitioner - original complainant preferred to tender Criminal Revision Petition. The learned A.P.P. stated that in Sessions Court that during pendency of the Revision Petition, sanction to prosecute the accused has already been granted. He stated that the Revision had become infructuous. The Sessions Court observed that the present Petitioner has already complied with the impugned order and the order did not require any interference.

2. Looking to the above factors, there appears no justification to entertain this Writ Petition. The complainant may go before the trial

Court to pursue his matter further. The Criminal
Writ Petition is rejected.

[A. I. S. CHEEMA, J.]

asb/JUL16