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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO.842 OF 2016

Devidas Pandit Patil .. Petitioner

VERSUS

State of Maharashtra & ors. .. Respondents

Mr. Naseem R. Shaikh, Advocate for the petitioner
Mr. M. M. Nerlikar, APP for respondents/State

**CORAM : A.V.NIRGUDE &
V.L. ACHLIYA, JJ.**

DATE : 19.07.2016

P.C. :

1. We are not inclined to issue notice to the respondents. We are inclined to dismiss the petition holding that it is frivolous in nature.

2. The petitioner is complainant in Crime No. 78 of 2015. He now alleges that the statement, which he made to police and which was utilized as first information report, was incorrectly recorded. He, therefore, made a written complaint, which gives details about the incident.

3. In the first information report, there is no mention of use of sword. In the first information

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report, there are only four accused named, but in the subsequent written statement of the petitioner, he mentioned that he was attacked by seven persons and one of them had a sword in his hands.

4. He also alleged that a sword's blow was delivered on his head. Medical Officer indicates that some injuries on head were sustained. However, the case does not appear serious enough to call for our interference and transfer of the investigation.

5. The petitioner's allegations that the certain Police Officer is interested in the accused and was trying to water down the contents of his complaint, deserves no further attention of this Court.

6. The petitioner-complainant may take legal advice and file such other additional proceedings, as may be suitable. Criminal Writ Petition is dismissed.

[V.L. ACHLIYA, J.]

[A.V.NIRGUDE, J.]