

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

Criminal Writ Petition No. 1540 of 2016

District : Ahmednagar

Kailas Haridas Kolse,
Age : 47 years,
Occupation : Agriculture,
R/o. Belapur Bk.,
Taluka Shrirampur,
District Ahmednagar.

.. Petitioner
(Original complainant)

versus

1. Sadashiv Haribhau Nagale,
Age : 50 years,
Occupation : Business,
R/o. Belapur,
Taluka Shrirampur,
District Ahmednagar.

2. The State of Maharashtra,
Through Police Inspector,
Police Station, Shrirampur,
Taluka Shrirampur,
District Ahmednagar.

.. Respondents.

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Mr. V.D. Salunke, Advocate, for the petitioner.

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CORAM : Z.A. HAQ, J.

DATE : 14TH DECEMBER 2016

ORAL ORDER:

Heard.

02. The petitioner has assailed the judgment passed by the Sessions Court dismissing the Revision

Application and maintaining the order passed by the learned Magistrate by which the complaint filed by the petitioner seeking prosecution of the respondent for the offence punishable under Sections 419, 420, 468, 471 and 511 of the Indian Penal Code is dismissed.

03. The contention of the petitioner is that the respondent, though was not Secretary of the Public Trust, used the seal and letter head of the Public Trust showing himself as the Secretary of the Public Trust and cheated the members of the Public Trust.

04. The subordinate Courts have considered the report submitted pursuant to the investigation under Section 156(3) of the Code of Criminal Procedure, 1973. Apart from this, on query, the learned Advocate for the petitioner has submitted that the change report informing the authority under the Maharashtra Public Trusts Act, 1950 that the respondent was elected as the Secretary of the Public Trust is accepted.

05. In view of the above, I see no reason to interfere in the matter. The Writ Petition is dismissed. No costs.

(Z.A. HAQ)
JUDGE

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