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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2976 OF 2016

Ganesh Babusingh Rathod	...	Petitioner
Vs.		
The State of Maharashtra & Ors.	...	Respondents

Mr. J.H. Oak for the Petitioner.

Mrs. M.M. Deshmukh, A.P.P., for the Respondent-State.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 13TH DECEMBER 2016.

P.C. :

1. Heard learned counsel for the Petitioner and learned A.P.P. for the Respondent-State.
2. By this Petition, filed under Article 226 of the Constitution of India, Petitioner is challenging the communication dated 31st July 2012 issued by the Collector, Thane, thereby refusing to accord sanction against original Accused Nos.1 to 4 in R.C.C. No.670 of 2009, pending before the learned Judicial Magistrate, First Class, 1st Court, at Kalyan.
3. We have perused the impugned communication dated 31st July 2012. The Collector, who is the Sanctioning Authority, has refused

sanction, under Section 197 of Cr.P.C., to prosecute original Accused Nos.1 to 4 on the basis of the 'Report' of the Sub-Divisional Officer, Thane Division, Thane, dated 23rd May 2012. We have gone through the said 'Report'.

4. The 'Report' discloses that the Sub-Divisional Officer, Thane Division, Thane, has, after considering the reply filed by the original Accused Nos.1 to 4 and material produced on record, came to the conclusion that no prima facie case is made out against Accused Nos.1 to 4 of the grant of sanction.

6. In view thereof, we do not find any infirmity in the impugned order. Petition is devoid of merits and hence the same stands dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]