

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 81 OF 2016.

(Pradip Pundalikrao Wankhede .vs. The State of Maharashtra & another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. A.B. Moon, Advocate for petitioner,
Mr. V.A. Thakare, A.P.P. for respondent nos. 1 & 2.

CORAM : B.R. GAVAI & MRS. SWAPNA JOSHI, JJ.

DATED : APRIL 20, 2016.

The complaint which is filed and on the basis of which an FIR is sought to be registered is nothing but an abuse of process of law.

The petitioner who claims to be the President of Sarva Samaj Employees Federation of India has addressed a complaint to the respondent no.2 stating therein that the non-applicants in the complaint had harassed one Shri P.P. Raut, who was an employee of the Zilla Parishad. It is also alleged that the said Shri P.P. Raut belonged to Scheduled Caste and as such, an offence under the provisions of S.C. & S.T. (Prevention of Atrocities) Act was also committed by the non-applicants in the said complaint.

It is no doubt that the said complaint is filed at the behest of said Shri P.P. Raut. If the said Shri P.P. Raut was aggrieved, nothing precluded him from approaching the authorities raising this grievance. In that event, if a cognizable offence was made out, the authorities had no option but to

register an FIR.

However, an FIR at the instance of busybody with regard to a service matter is nothing else but an attempt to compel the police authorities to act with ulterior motive.

The petition is, therefore, dismissed.

Judge

Judge

J.