

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 224 OF 2017
IN
CRIMINAL WRIT PETITION No. 378 OF 2016

Eknath V. Bhaskar. ..Applicant.

Versus

State of Maharashtra & Others. ..Respondents.

Mr. N. R. Tiwari for the Applicant.

Mr. J. P. Yagnik, APP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **May 5, 2017.**

P. C. :

1. For the reasons stated in paragraph 3 and 4, application is allowed in terms of prayer clauses (a) and (b). Writ petition is restored to the file and be taken up for hearing immediately. Application stands disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]

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..Petitioner.

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Mr. N. R. Tiwari for the Petitioner.

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1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. Petition is filed seeking direction to the Respondent to initiate action under section 156(3) of the Code of Criminal Procedure, 1973 against Respondent No. 2. Powers under section 156(3) of the Code are to be exercised by JMFC. Such relief cannot be granted in exercise of writ jurisdiction under Article 226 of the Constitution of India. Hence, writ petition is dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]