

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 93 OF 2017

(Shri Nutthuji s/o Uddhav Gajbhiye vs. State of Maharashtra thr. Secretary, Home Department & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
APRIL 25, 2017.**

We have heard Shri Y.B. Mandpe, learned counsel for the petitioner and Shri R.S. Nayak, learned APP for respondent Nos. 1 to 3, in the light of orders dated 12.04.2017.

2. By that order, we have clarified that the J.M.F.C. was not restrained from passing the order of committal if such an order is required to be passed in the facts and circumstances of the case.

3. The learned APP has no objection if prayer clause (ii) is granted.

4. Shri Mandpe, learned counsel submits that various attempts were made by the petitioner and J.M.F.C. was required to pass an order of committal but as two accused are still absconding, the learned J.M.F.C. has found it not fit to pass the order.

5. In this situation, without observing anything on merits of the controversy, we direct the J.M.F.C. to consider the request made by the petitioner and pass suitable orders upon it as per law within next four weeks. The said period shall begin from the date on which this order is pointed out to the learned J.M.F.C. Court.

6. Criminal Writ Petition is thus partly allowed and disposed of. No order as to costs.

JUDGE

JUDGE

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