

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

**CRIMINAL WRIT PETITION NO. 611/2016.**

Sanjay Namdeorao Turukmane

**-VERSUS-**

The State of Maharashtra and another

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

Court's or Judge's Orders

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

**DATE : APRIL 11, 2017.**

Heard Shri N.B. Kalwaghe, learned  
Counsel for the petitioner, Shri V.A. Thakare, learned  
A.P.P. for respondent no.1 and Shri V.B. Bhise, learned  
Counsel for respondent no.2.

2. Perused impugned order under Section  
156 (3) of the Criminal Procedure Code. There the  
learned Magistrate has observed "on perusal of  
complaint it is revealed that offence alleged are  
cognizable offence". Thus, prima facie application of  
mind is apparent.

3. In the reported judgment at (2013) 10

**SCC 705 (Anilkumar and others .vrs. M.K. Aiyappa).**

order reproduced in paragraph no.3 does not record any such satisfaction.

4. Moreover, in present matter the allegations made by respondent no.2 were looked into by the inquiry committee constituted by the University. That committee has exonerated petitioner. This report is also being looked into by the police authorities.

5. In this situation, we find present challenge misconceived. Leaving all other contentions on merit open and with liberty to raise the same at appropriate juncture, we dispose of the present petition. No costs.

**JUDGE****JUDGE**

Rgd.