

nsc.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.5 OF 2017

Neeta Jitendra Gurli	... Applicant
Versus	
The State of Maharashtra and Ors.	...Respondents

Ms.Nasreen S.K.Ayubi, for the Applicant.

Mr.Vinod Chate A.P.P for the Respondent No.1-State.

Mr.Vaibhav Gaikwad, for the Respondent Nos.2 and 6.

CORAM : REVATI MOHITE DERE, J.

DATE : 31st JANUARY, 2018

P.C. :

1. Heard learned counsel for the parties.
2. Perused the papers including the impugned order dated 21st October, 2016, passed by the learned Additional Sessions Judge, Nashik in Criminal Revision Application No.274 of 2014, filed by the applicant (original complainant). The applicant (original complainant) had filed a private complaint in the Court of learned Judicial Magistrate First Class,

Nashik Road, alleging offences punishable under Sections 494 and 498-A of the Indian Penal Code. It appears that although initially an order under Section 156(3) of Code of Criminal Procedure was passed, subsequently, the learned Magistrate recorded the verification of the complainant and thereafter issued process as against the accused no.1 for the alleged offences punishable under Sections 494 and 498-A of the Indian Penal Code and against accused nos. 2 to 13 for the alleged offences punishable under Sections 494 r/w 109 of the Indian Penal Code. The applicant (original complainant) being aggrieved by the fact that the police had not complied with the 156(3) order and the fact, that the learned Magistrate proceeded to record his verification filed a Revision Application in the Sessions Court. The learned Sessions Judge was pleased to dismiss the said Revision Application on 21st October, 2016. It is informed that during the pendency of this application, pursuant to the order of issue process, two witnesses have been examined in the said case, till date.

3. In view of the aforesaid, no interference is warranted in the impugned order dated 21st October, 2016, passed by the learned Additional Sessions Judge, Nashik in Criminal Revision Application No.274 of 2014.

4. Application is accordingly disposed of.

REVATI MOHITE DERE, J.