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

WRIT PETITIOIN NO.1365 OF 2004

The State of Maharashtra

.. Petitioner

Vs

Maruti Dattoba Nimankar

Madan Dattoba Nimankar

Murlidhar Dattoba Nimankar

..Respondents

Ms. Veera Shinde for Petitioner/State.

CORAM : A.S.GADKARI, J.

DATE : 12th September 2018.

P.C.:

1] The respondents were discharged from the offences punishable under section 52 read with 43 of the M.R.T.P.Act by the learned Judicial Magistrate First Class, Ichalkaranji by its Order dated 24.7.2002 passed below Exhibit-1 in Summary Criminal Case No.2097 of 1999. The Revision Application No.312 of 2002 preferred by the State of Maharashtra was also dismissed by the learned 2nd Ad-Hoc Additional Sessions Judge, Kolhapur by its Judgment and Order dated 10.12.2003.

2] Heard the learned APP for Petitioner State at length. Perused the record.

3] It appears from the record that, the offence alleged against the respondents was a petty offence and there is no cogent material on record to frame charge against the respondents. There concurrent findings recorded by both the Courts below. After perusing the record, this Court is of the considered view that, there is no error committed by the Courts below, either in law or on facts while passing the impugned Orders.

4] Petition being devoid of any merits, is accordingly dismissed.

(A.S.GADKARI, J.)