

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

CRIMINAL REVISION APPLICATION No. 535 OF 2015

Jitendrakumar M. Patel

...Applicant

Vs.

Ranchhodbhai Nagarji Rohit and Ors.

...Respondents

Mr. Manoj M. Badgujar for Applicant

Mr. M.V. Thorat a/w. Fauzan for Respondent Nos.1 to 5

Mr. H.J. Dedhiya -APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: MARCH 1, 2018

P.C.

1. Having heard respective counsels for some time and having regard to the fact that the learned counsel for the Applicant concedes to the position that the order of Magistrate under Section 156 (3) of Cr. P.C. can be justified. In my view, the revision itself can be disposed of by following order:

- (i) The order dismissing the complaint of the Applicant is set aside.
- (ii) The Learned Court of J.M.F.C. shall deal with the complaint of the present Applicant particularly having regard to the provisions under Section 200 of the Cr.P.C.

(iii) The claim of the Respondent that the Applicant has no locus to prefer such complaint case shall also be looked into at appropriate stage.

Criminal Revision Application is disposed of in the aforesaid terms.

[NITIN W. SAMBRE, J.]