

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

901. CRIMINAL APPLICATION NO.547 OF 2012
WITH
CRIMINAL APPLICATION No. 5204/2017
IN APPLN/547/2012

RAMCHANDRA YADAVRAO JIGHE
VERSUS
PARAJI SHESHRAO MADAN AND OTHERS

Mr. R.M. Deshmukh, Advocate for applicants
Mr. G.O. Wattamwar, Addl. Public Prosecutor for Respt. No.1/State
Mrs. Kalpalata Bharaswadkar Patil, Advocate for respondent No.2

CORAM : T.V. NALAWADE &
M.G. SEWLIKAR, JJ.

DATE : 4th December, 2020

OPERATIVE ORDER :

I. The application is allowed. The order made by the learned Judicial Magistrate F.C., Ambad, in Reg. Criminal Case No. 91/2010 dated 12/12/2011, by which the learned Magistrate directed the Ambad Police Station to register the crime and make investigation under Section 156(3) of the Criminal Procedure Code, is hereby quashed and set aside and, to that extent only the application is allowed.

II. The proceeding, which is pending before the Judicial Magistrate F.C., bearing Reg. Criminal Case No. 91/2010 stands restored to the previous stage, the stage in which the order to make

investigation U/S. 202 of Cr.P.C. was made and the report of investigation is received. From that stage, the Magistrate can proceed ahead in the matter.

III. In view of disposal of Cri. Appln. No. 547/2012, pending Cri. Appln. No. 5204/2017 shall stand disposed of.

IV. Rule made absolute in those terms.

V. Reasons to follow.

Sd/-
(M.G. SEWLIKAR)
JUDGE

Sd/-
(T.V. NALAWADE)
JUDGE

Madkar