IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.314 OF 2020

ALKA W/O. ARJUN GAWALI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
...
Advocate for Petitioner : Mr. Rajendra S. Sadaphule (Absent)
APP for Respondent No.1 - State : Mr. G. O. Wattamwar
...

CORAM : T. V. NALAWADE AND SHRIKANT D. KULKARNI, JJ.

DATE : 23rd NOVEMBER, 2020

PER COURT :-

Nobody is present for petitioner. Seen the relief clause. The petitioner is seeking relief of quashing of report filed under Section 169 of the Code of Criminal Procedure ("Cr.P.C.") by the Police of Newasa Police Station, District Ahmednagar. This report is under consideration of Judicial Magistrate, First Class, Newasa. The petition came to be filed on 14-02-2020. It is open to the Investigating Agency to form opinion with regard to the commission of offence after registration of the crime and they have power to file either charge-sheet or report under Section 169 of Cr.P.C. then there is power to the Judicial Magistrate, First Class, either to accept the report filed under Section 169 of Cr.P.C. or reject the same and direct further investigation. In view of this position of law, this Court holds that the relief claimed by the petitioner cannot be granted. The Criminal Writ Petition stands dismissed.

[SHRIKANT D. KULKARNI]
JUDGE

[T. V. NALAWADE]
JUDGE

MTK